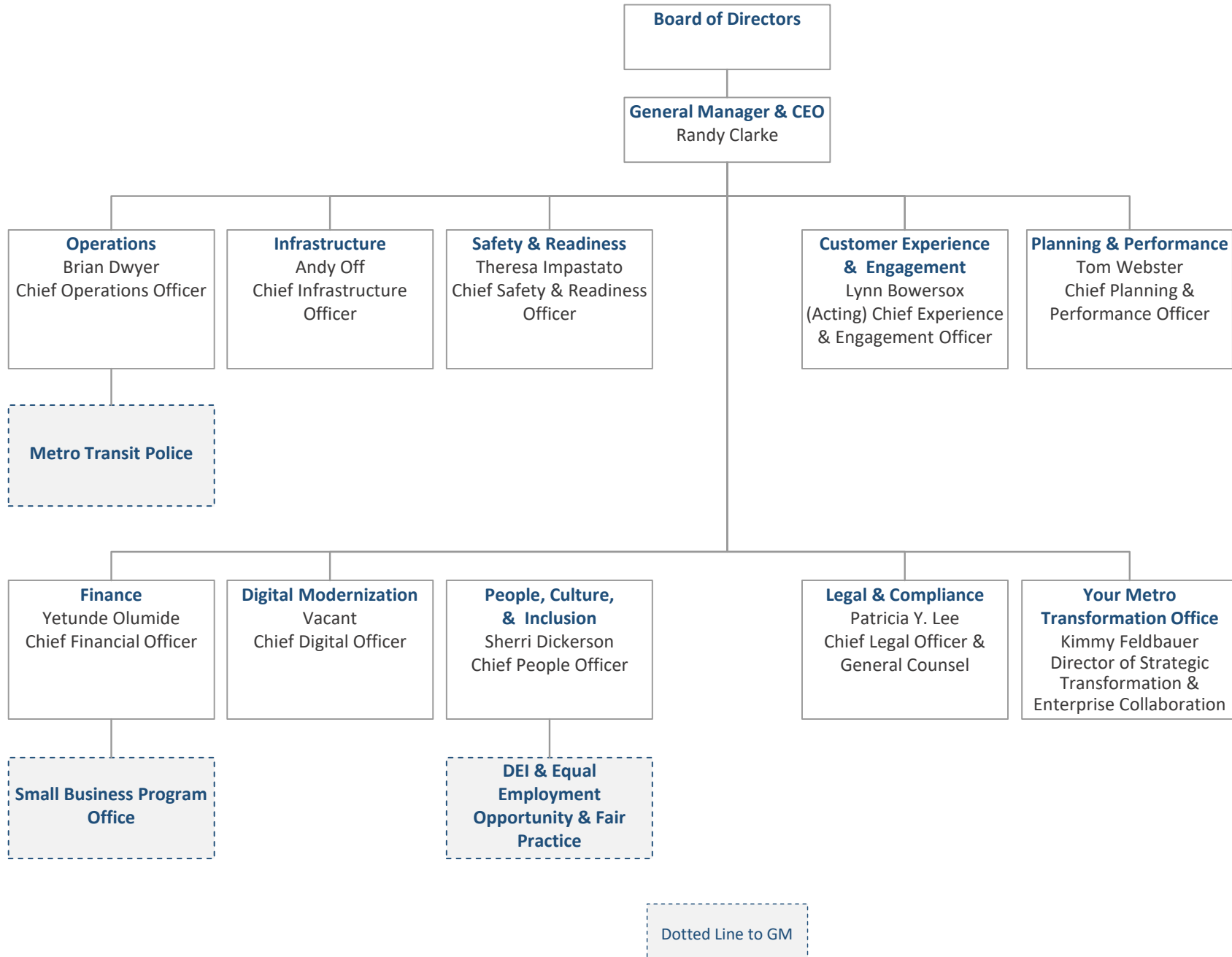


GM Org Chart



WMATA's Organizational Structure as of Dec 6th



DC Performance Oversight Hearing - For Question #1, Org Chart

Count of Filled and Vacant Positions per Org

and Department-Level for COO

As of: 1/11/23

Notes:

Count includes budgeted positions only. Employees on leave and headcount on overallocated positions are excluded.

OIG and SECT are not included as they do not report to the GM.

Finance vacancy rate has increased due to new departments (Procurement & Capital Finance Management) added from the realignment.

Total Budgeted Headcount, excluding OIG and SECT, is 12,690.

Org Level	Filled	Vacant	Total Positions
Customer Experience & Engagement	99	19	118
Digital Modernization	324	57	381
Finance	282	115	397
General Manager/CEO	3	0	3
Infrastructure	3259	402	3661
Legal & Compliance	51	11	62
Operations	6918	849	7768
People, Culture & Inclusion	88	17	105
Planning & Performance	100	36	136
Safety & Readiness	358	187	545
Your Metro Transformation Office	1	0	1
Total	11,483	1,693	13,177

Departments in COO

Dept	Filled	Vacant	Total Positions
Access Services	41	5	46
Administrative	1	0	1
Bus Services (BUS)	3632	282	3914
Metro Integrated Command & Control Center			
Metro Transit Police	580	115	695
Operations Admin	28	10	38
Rail Services	2264	398	2662
Reliability Engineering & Asset Management	186	29	215
Special Projects	1	0	1
Supply Chain Management	185	7	192
Total	6,918	849	7,767

Question 1: Names of all Senior Personnel

VPs, SVPs, and above

As of 1/11/23

Note: OIG and SECT are not included.

Last Name	First Name	Job Title
Alexander	LaRisa	SPECIAL ASST TO THE GM/CEO
Alfred	Raphael	VICE PRESIDENT BUS MAINTENANCE
Anzallo	Michael	VP & CHIEF, MTPD
Benson	Kristie	VICE PRESIDENT, COMMUNICATIONS
Bitar	Rodolfo	VICE PRESIDENT SUPPORT SERVIC
Bowersox	Lynn	SVP CUST SERVICE, COMM & MKT
Burnside	Andrea	VP OPER BUDGET & PERF PLNG
Christensen	Eric	EXECUTIVE VICE PRESIDENT INTER
Clarke	Randy	GENERAL MANAGER AND CEO
Cuff	Coree	VP, PROJECT DEVEL & IMPL PLNGG
Cunning	Andrada	VICE PRESIDENT WORKFORCE PLAN
Davis	Hakim	VP, QUALITY ASSUR, INTER COMPL
Davis	Allison	VICE PRESIDENT, PLANNING
Dickerson	Sherri	EVP AND CHIEF PEOPLE OFFICER
Dwyer	Brian	EVP & CHIEF OPER OFFICER
Espy-Smith	Amy	CHIEF MEDICAL OFFICER
Feldbauer	Kimberly	STRATEGIC TRANSFORM PROJ MGR
Field	Elizabeth	VP PROJECT IMLEM & CONST
Gallagher	David	DEPUTY INSPEC GEN FOR AUDIT
Gardner	Nichalos	VP ARCHITECTURE AND ENGINEERIN
Goines	Terrence	VP & CHIEF TECHNOLOGY OFFICER
Haas	Robert	VP & TREASURER
Hardison	Matthew	SENIOR VP PLANG AND BUS TRAN
Harjes	Elizabeth	VP REAL ESTATE & PARKING
Hass	Michael	SENIOR VP RAIL SERVICES
Impastato	Theresa	EVP & CHIEF SAFETY OFFICER
Jenkins	Tiffani	VP SIGNALING SYSTEM RENEWAL
Johnson	Jayne	VP & ASST CHIEF SAFETY OFFICER
Jones	Leroy	SVP BUS SERVICES
Lee	Patricia	EVP & GENERAL COUNSEL
Levy	Michael	VP & CHIEF LABOR EMPL REL OFF
Martin	Torri	SVP & CHIEF INFORMATION OFR
Mobbs	Michael	COUNSEL TO THE INSPEC GENERAL
Moore	Tonyon	SVP PROCUREMENT & MATERIAL OFC
Off	Andrew	EVP&CHIEF INFRAS OFFICER
Olumide	Yetunde	EVP & CHIEF FIN OFFICER
Palmeri	Francesco	VP RELIABILTIY ENGRG & ASSET M
Richardson	Barbara	EVP EXTERNAL AFFAIRS
Rosborough	Dianna	EVP INTERNAL BUSINESS OPER
Spulick	Stephen	VP SUPPLY CHAIN MGMT
Sullivan	Regina	VP GOVERNMENT RELATIONS

Sullivan	Elizabeth	VP & CHIEF RISK AND AUDIT OFR
Sullivan	James	VICE PRESIDENT CAP PRGM MGMT
Thomas	La Toya	VP & COMPTROLLER
Thomas	Joy	VP ADMINSTRTN & OPS IBOP
Thompson	Stephen	VP & DEPUTY GEN COUN
Trocki	John	VP & DEPUTY GEN COUN
Webster	Thomas	EVP, CAPITAL PLAN & PROG MGMT
Wilkinson	Shanita	VP, RAIL TRANSPORTATION
Williams	Nathan	VP RAIL INFRAS MNTN & ENG

Senior Personnel that will retire effective 2/1/2023

Last Name	First Name	Job Title
Alexander	LaRisa	SPECIAL ASST TO THE GM/CEO
Christensen	Eric	EXECUTIVE VICE PRESIDENT INTER
Richardson	Barbara	EVP EXTERNAL AFFAIRS
Rosborough	Dianna	EVP INTERNAL BUSINESS OPER



Washington Metropolitan Area Transit Authority

PROCEDURE

Procedure Number: FAIR-OEE0-P04-00
Discrimination Complaint Investigation Process

November 16, 2020

Revision History

Revision No.	Revision Date	Reviser/ Author	Document Section No. (if applicable) or N/A	Description of Changes
0	11/16/20	Jan Bryant		Initial Release

Table of Contents

1	Scope.....	4
2	Purpose	4
3	Definitions	4
4	Acronyms.....	5
5	Responsibilities.....	6
6	Process Steps	9
7	Safety Management	19
8	References	20
9	Records	20
10	Appendices, Attachments and/or Exhibits	31
11	Approvals.....	32

1 Scope

- 1.1 The scope of this standard operating procedure (SOP) applies to all WMATA employees, contract employees, and applicants for employment who file a complaint of discrimination. They are covered by the Washington Metropolitan Area Transit Authority's (WMATA's) Policy Instruction (P/I) 7.1.1, *Equal Employment Opportunity and Affirmative Action*, and shall not be discriminated against based on the identified protected categories listed in P/I 7.1.1. Harassment based on the protected categories is also prohibited. WMATA employees, contract employees, applicants for employment and former employees will be afforded the right to file a complaint of discrimination for violation of P/I 7.1.1 and other WMATA nondiscrimination policies [see P/I 7.1.5, *Non-Retaliation*, P/I 7.1.2, *Anti-Sexual Harassment and other Harassment*, and P/I 7.1.4, *Religious Accommodation*].
- 1.2 This document has been created in compliance with the Quality Management System Plan (QMSP), Policy Instructions 1.1 *Document Governance and Hierarchy*, 6.1 *Records Management*, and WMATA's Records Retention Manual.

2 Purpose

- 2.1 The purpose of this procedure, which is directed by the Department of Fair Practices (FAIR) at WMATA, is to process Title VII Equal Employment Opportunity complaints of discrimination in accordance with federal law, regulations of the Federal Transit Administration (FTA), Equal Employment Opportunity Commission and WMATA's P/I, 7.1.1 *Equal Employment Opportunity and Affirmative Action*. These policies prohibit discrimination based on race, ancestry, color, age (40 years or older), national origin, ethnicity, religious creed or belief, physical or mental disability, marital or familial status, legally protected medical conditions, genetic information, military or veterans status, sex (including pregnancy, childbirth, breastfeeding, or related medical conditions), gender (including gender identity and gender expression), sexual orientation, citizen status, protected activity (such as opposition to or reporting of prohibited discrimination or harassment), retaliation/reprisal for filing a complaint of discrimination, participating in the equal employment opportunity complaint process or having opposed prohibited discrimination or any other status or classification protected by applicable federal law.

3 Definitions

- 3.1 **Alternative Dispute Resolution (ADR)** - refers to any means of settling disputes outside of the courtroom. FAIR utilizes mediation as its ADR method.
- 3.2 **Complainant** – the employee who is filing a complaint of discrimination.
- 3.3 **Respondent** – the alleged discriminating individual.
- 3.4 **Harassment** – a form of employment discrimination that violates Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967 (ADEA), and the Americans with Disabilities Act of 1990, (ADA). Harassment is unwelcome conduct that is based on race, color, religion, sex (including pregnancy), national origin, age (40 or older), disability or genetic information. Harassment becomes unlawful 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.

- 3.5 **Equal Employment Opportunity** – the idea that everyone should be treated fairly and given equal opportunity when being considered for various employment decisions (including hiring, promotion, termination, compensation, etc.). It provides that no one can be denied employment or treated differently with regard to any workplace decision on the basis of race, color, sex, religion, and national origin.
- 3.6 **Quality Management System Plan (QMSP)** – The QMSP is a WMATA plan to be used both internally and externally. It guides employees through WMATA’s expectations and standards that must be met and maintained to ensure compliance with requirements. The responsibilities, procedures, and documents comprising the Quality Management System (QMS), including the QMSP, apply to all offices, departments, and projects within the Authority’s responsibility. The QMSP is also used externally to introduce the QMS to the Authority’s customers, stakeholders, contractors, suppliers, and vendors.

4 Acronyms

- 4.1 **ADA** – Americans with Disabilities Act
- 4.2 **ADEA** – Age Discrimination in Employment Act of 1967
- 4.3 **ADR** – Alternative Dispute Resolution
- 4.4 **CHRO** – Chief of Human Resources
- 4.5 **EEO** – Equal Employment Opportunity
- 4.6 **EEOC** – Equal Employment Opportunity Commission
- 4.7 **FAIR** – Department of Fair Practices
- 4.8 **FTA** – Federal Transit Administration
- 4.9 **HCM** – Human Capital Management
- 4.10 **HR** – Human Resources
- 4.11 **IBOP** – Internal Business Operations
- 4.12 **P/I** – Policy Instruction
- 4.13 **QMS** – Quality Management System
- 4.14 **QMSP** – Quality Management System Plan
- 4.15 **ROI** – Report of Investigation
- 4.16 **SAFE** -- Department of Safety and Environmental Management
- 4.17 **SOP** – Standard Operating Procedure

4.18 **WMATA** - Washington Metropolitan Area Transit Authority

5 Responsibilities

5.1 Office of Fair Practices (FAIR) –

- 5.1.1 Responsible for providing timely and quality EEO complaint processing services to all complainants.
- 5.1.2 Responsible for processing complaints promptly and with integrity, trust and impartiality throughout the counseling, investigation and resolution of the EEO complaint.
- 5.1.3 Responsible for ensuring complainants, their representatives, witnesses, and other participants in the EEO process are free from restraint, interference, coercion, discrimination, and reprisal at all stages in the presentation and processing of a discrimination complaint, including the pre-complaint counseling stage.
- 5.1.4 Responsible for informing employees that allegations of reprisal in discrimination complaints, like EEO complaints, be brought to the attention of FAIR management.
- 5.1.5 Responsible for trying to resolve complaints at the earliest possible stage to achieve better employee relations, reduce administrative costs, and avoid prolonged litigation.
- 5.1.6 Responsible for offering to resolve EEO disputes at the lowest level possible by explaining and offering alternative dispute resolution (ADR). Participation in an ADR process is not intended to affect the rights of an employee to file: (1) a discrimination complaint; (2) a grievance under a negotiated agreement; or (3) a complaint filed with the EEOC.
- 5.1.7 Responsible for conducting informal counseling during the informal complaint process to try and resolve allegations of discrimination complaints.
- 5.1.8 Responsible for arranging and participating in ADR mediation efforts.
- 5.1.9 Responsible for acknowledging receipt of formal complaints of discrimination.
- 5.1.10 Responsible for issuing procedural determinations and recommendations concerning discrimination complaints.
- 5.1.11 Responsible for managing the EEO investigation process.
- 5.1.12 Responsible for providing quality customer service.
- 5.1.13 Responsible for ensuring FAIR employees have a thorough knowledge of the applicable laws, policies and regulations related to the processing of EEO complaints.

- 5.1.14 Responsible for having FAIR staff conduct themselves in a highly professional manner and avoiding the appearance of compromising the integrity of the EEO complaint process.
 - 5.1.15 Responsible for avoiding personal involvement with aggrieved persons, complainants, responsible management officials, witnesses, representatives, or any other participant in the EEO complaint process.
 - 5.1.16 Responsible for applying competent skill, exercising sound judgment and exhibiting professional demeanor in performing their duties.
 - 5.1.17 Responsible for holding confidential all interview notes, and other records that comprise the FAIR complaint file, and data that are derived from the investigative process (except in special circumstances such as court or administrative subpoenas).
- 5.2 WMATA Employees**
- 5.2.1 Responsible for complying with requests from FAIR for interviews or documents (failure to comply may result in correction action, up to and including termination).
 - 5.2.2 Responsible for maintaining the confidentiality of the investigative process and their interaction with FAIR.
- 5.3 EEO Coordinator**
- 5.3.1 Responsible for following up on initial contact by complainants.
 - 5.3.2 Responsible for conducting the initial screening of complainants.
 - 5.3.3 Responsible for determining if complaint is/is not covered by discrimination policy.
 - 5.3.4 Responsible for directing complaints to the appropriate department if not covered by discrimination policy, filing information appropriately, and copying complainant on action taken.
 - 5.3.5 Responsible for obtaining a docket number from PeopleSoft HCM, which includes inputting data into PeopleSoft HCM re the complainant, and filing the data in the FAIR Shared Drive (T drive).
 - 5.3.6 Responsible for updating the FAIR files in PeopleSoft HCM and on the FAIR Shared Drive after the intake interview by the EEO Officer.
 - 5.3.7 Responsible for closing out the case in PeopleSoft HCM.
 - 5.3.8 Responsible for creating and maintaining the “Master – All Cases Assigned” Excel spreadsheet (see Figure 1).

5.4 EEO Officer –

- 5.4.1 Responsible for interviewing complainant.
- 5.4.2 Advises the complainant of other departments to look into if complaint is not covered by discrimination policy.
- 5.4.3 Explains the ADR process to the complainant if appropriate.
- 5.4.4 Documents and files all case information.
- 5.4.5 Will meet with and counsel the respondent and go over the allegations and the policies that may have been violated. The Manager – Civil Rights Compliance may do this as well.
- 5.4.6 Drafts Employee Counseling Forms (see Figure 2).
- 5.4.7 Responsible for updating the Information Required Sheet (see Figure 3) and sending it to the EEO Coordinator to close the case in PeopleSoft HCM. Can also be performed by Manager – Civil Rights Compliance.

5.5 Human Resources (HR) Welcome Center Receptionist –

- 5.5.1 Responsible for receiving walk-in complainants and providing the information to the EEO Coordinator

5.6 PeopleSoft HCM –

- 5.6.1 Responsible for storing employee information and employee discrimination complaint information.
- 5.6.2 Responsible for issuing docket number for discrimination complaints.

5.7 Manager, Civil Rights Compliance –

- 5.7.1 Responsible for assigning complaints to EEO Officers.
- 5.7.2 Meets with and counsels the respondent and goes over the allegations and the policy(ies) that may have been violated. The EEO Officer may do this as well.
- 5.7.3 Responsible for updating the Information Required Sheet (see Figure 3) and sending it to the EEO Coordinator to close the case in PeopleSoft HCM. Can also be performed by the EEO Officer.
- 5.7.4 Responsible for reviewing and approving the investigative reports and closing letter determinations.

5.8 Attorney or Union Representative –

- 5.8.1 Responsible for following WMATA's rules and procedures during interview process.

5.9 Witnesses

- 5.9.1 Responsible for following WMATA's rules and procedures during complaint process.
- 5.9.2 Responsible for maintaining the confidentiality of the complaint process.
- 5.10 **Respondent** –
 - 5.10.1 Completes a counseling form (see Figure 2).
 - 5.10.2 Takes part in counseling procedure if appropriate.
 - 5.10.3 Takes part in mediation procedure if appropriate.
 - 5.10.4 Cooperates with the investigative process and maintains the confidentiality of the complaint process.

6 Process Steps

- 6.1 **Complainant contacts FAIR.** Contact can be made in different ways:
 - 6.1.1 Telephone Calls – Employees may contact FAIR by Voicemail messages at 202.962.1082 (FAIR main office number). The EEO Coordinator or FAIR staff shall respond to the voicemail message. The voicemail messages are housed in the “Civil Rights” inbox which is accessible to all FAIR staff. FAIR staff ensure the information is provided to the EEO Coordinator for follow up.
 - 6.1.2 Emails – Employees may contact FAIR by email at the following address: OEEOHotline@wmata.com. The EEO Coordinator and FAIR staff have access to emails though the “OEEO Hotline” and the EEO Coordinator shall respond to the voicemail.
 - 6.1.3 Walk-Ins – Employees may walk into the Headquarters Office and ask to speak with a FAIR staff member through the HR Welcome Center. The HR Receptionist will contact a member of FAIR staff at the FAIR main office number, 202.962.1082. The EEO Coordinator will follow up.
 - 6.1.4 Management Referral – can be received by anyone in the FAIR office via email, telephone call or walk-in. The EEO Coordinator will follow up.
- 6.2 **EEO Coordinator – Docket Number and Case Filing**
 - 6.2.1 The EEO Coordinator logs into PeopleSoft HCM through WMATA's homepage to acquire a docket number for the complaint by clicking on the Tab – Applications, scrolling down and double clicking on – PeopleSoft HCM.
 - 6.2.1.1 PeopleSoft HCM - Once logged into PeopleSoft HCM, the EEO Coordinator will be able to retrieve any missing information needed on the Complainant and the Respondent by going to:
 - **Main Menu > Workforce Administration > Personal Information > Modify a Person:** Employee's Profile Information – searching by first/last name or employee ID.

- **Biographical Information** – e.g., birth date, gender, etc.
- **Contact Information** – e.g., address, phone number, email, etc.
- **Regional** – ethnicity, citizenship, military status
- Next, for “job information”, the EEO Coordinator will access location, supervisor, union representation, etc., and then go to **Main Menu > Workforce Administration > Job Information > Job Data: Employee Information** – can search by name of employee ID.

6.2.2 EEO Coordinator creates the case files as indicated below in the folder titled “EEO Case Files” on FAIR’s Shared Drive.

6.2.2.1 Documents or other electronic media are saved in the case file.

A folder is created by the EEO Coordinator as follows:

- Right click on EEO Case files > dialogue box appears > click “New” > then click “Folder”. Note: double-click on the folder labeled “EEO Case Files” to see current EEO case files.
- Right-Click on “New folder” > click “Rename”.
- Rename using the following format: **Last Name, First Name**.
- Right-click on the “named” file folder > dialogue box appears > click “New” > then click “Folder” > Rename “sub-folder” to the docket number “2020-000XXX” and enter the initials of assigned EEO Officer.
- Right-click on “Docket Number” > dialogue box appears > click “New” > click “Folder”. Create at least seven new folders and rename each as:
 - **TAB A** Complaint,
 - **TAB B** Correspondence,
 - **TAB C** Witness Statements & Interviews,
 - **TAB D** Documents Reviewed,
 - **TAB E** ROI & Exhibits,
 - **TAB F** Determination Documents, and
 - **TAB G** Corrective Action.

6.2.2.2 Assignment of Docket Number – A Docket Number is assigned to the case automatically when the EEO Coordinator inputs the information into PeopleSoft HCM. Information includes the basis of the complaint, respondent’s information and summary of allegations. PeopleSoft HCM forwards an email to the EEO Coordinator assigning a docket number to the complainant’s file.

- 6.2.3 The EEO Coordinator updates the “Master All Cases Assigned” Excel spreadsheet (see Figure 1) located in the EEO Case File. All EEO case tracking is done on the FAIR Shared Drive.
- 6.2.4 The EEO Coordinator conducts an initial screening interview with the complainant to determine if the matter is covered by the non-discrimination policies.
- 6.2.4.1 If the matter is not covered by any of the nondiscrimination policies, the EEO Coordinator will document that determination in the PeopleSoft HCM EEO Complaint Tracking Module (CTM) and be referred to the appropriate WMATA office for resolution, and the referral is copied to the complainant.
- 6.2.4.2 The file is also recorded in the FAIR Shared Drive.
- 6.2.4.3 If the facts presented are sufficient to warrant an inquiry by FAIR, the claim is
- documented in PeopleSoft HCM by the EEO Coordinator,
 - the allegation is reduced to writing by the EEO Coordinator,
 - a file is created under the complainant’s name on the FAIR shared drive by the EEO Coordinator, and
 - all notes taken during the initial screening are filed in the Shared Drive by the EEO Coordinator.

6.3 Intake Interview Process

- 6.3.1 After the initial screening interview, if the facts presented warrant an investigation by FAIR, information is given to the Manager-Civil Rights Compliance who assigns the matter to an EEO Officer.
- 6.3.2 The EEO Officer conducts an intake interview of the complainant.
- 6.3.2.1 The EEO Officer provides information to the complainant.
- 6.3.2.1.1 During the intake interview, the assigned EEO Officer will explain the mission and general functions of FAIR, discrimination laws enforced by FAIR, protected categories, and inform the complainant of the complaint process.
- 6.3.2.2 Collects enough information to frame the claim(s) and basis(es).
- 6.3.2.3 Gathers information and affords the complainant an opportunity to achieve an informal and mutually acceptable resolution of the complaint.
- 6.3.2.4 Conducts a limited inquiry for the purpose of jurisdictional questions.
- 6.3.2.5 Seeks resolution of disputes at the lowest possible level.

6.3.2.6 Educates and explains the benefits of the ADR process.

6.3.2.7 Advises complainant of other departments where they can pursue their concerns if the matter is non-EEO related, i.e., referral to Employee Relations, back to management, the negotiated grievance process, etc.

6.3.3 The EEO Officer documents all intake interview information and all contact with employees and actions in the Investigation Activity Log (see Figure 4).

6.3.4 The EEO Officer saves all documentation in the appropriate case folder on the FAIR Shared Drive.

6.4 **Process Following the Intake Interview**

6.4.1 If complainants choose to file a formal complaint of discrimination after they the intake interview, they must do so on a FAIR Discrimination Complaint Form (see Figure 5). All formal complaints alleging discrimination **MUST** contain the information outlined below:

- Full name, address, work, home and cellular telephone numbers, personal email address and other contact information of the complainant;
- Full name, job title, work, home and cellular telephone numbers, person email address and other contact information of the respondent;
- A statement explaining the alleged discrimination with description of who, what, when, and how the alleged discrimination occurred;
- The date(s) of the alleged discrimination. If the allegation is more than 30 days old FAIR has the discretion to determine the allegations are untimely;
- If the alleged discrimination is continuing in nature, range of dates when alleged discrimination took place;
- A statement as to what the complainant is seeking for recourse to their concerns; and
- Complainant's signature on the formal complaint of discrimination.

6.4.2 Once the complaint has been completed and signed, FAIR staff notifies the EEO Coordinator of any changes for updates in PeopleSoft HCM and to FAIR assignment sheets.

6.4.3 Informal Process –

6.4.3.1 Contacts made with FAIR are considered official allegations and FAIR will review the facts to determine whether an investigation must be conducted. In most instances, if FAIR determines that an investigation is necessary, the complainant will be asked to complete and sign a Discrimination Complaint form.

- 6.4.3.2 In cases where appropriate, alternative dispute resolution (ADR), mediation, may be pursued.
 - 6.4.3.2.1 The EEO Officer, who is an experienced mediator, offers the complainant the opportunity to resolve the complaint through mediation (through ADR), where the EEO Officer will arrange a meeting to sit with the complainant and respondent to discuss their grievances and to try and reach agreement on a resolution.
 - 6.4.3.2.2 If the complainant does not agree to mediation the EEO Officer continues with the formal process for complaint resolution (see 6.4.6).
 - 6.4.3.2.3 If the complainant agrees to mediation, the EEO Officer contacts the respondent with the offer of mediation.
 - 6.4.3.2.4 If the respondent does not agree, the EEO Officer continues with the formal process of complaint resolution. Both the complainant and the respondent must agree to mediation for the process to take place.
 - 6.4.3.2.5 If the respondent agrees to mediation, the EEO Officer arranges to meet with the respondent and complainant together to discuss their grievances and to come to agreement on how to resolve the case.
 - 6.4.3.2.6 During the meeting, the EEO Officer facilitates the discussion by offering different options that the complainant and/or respondent may want to explore.
 - 6.4.3.2.7 If the complainant and respondent cannot reach agreement on complaint resolution, the EEO Officer continues with the formal process of complaint resolution (see 6.4.6).
 - 6.4.3.2.8 If the complainant and respondent reach agreement on complaint resolution, the EEO Officer drafts the agreement at the end of the meeting and has both the complainant and respondent sign the agreement. The EEO Officer destroys all notes taken during the meeting, and provides a copy of the agreement to the complainant and to the respondent, and places a copy in the Investigation Activity Log (see Figure 4).
 - 6.4.3.2.9 The complainant and respondent are then responsible for carrying out the terms of the resolution agreement. They may request that the EEO Officer assign someone to supervise that the agreement is being followed. Both the complainant and the respondent must agree on the supervisor.

6.4.3.2.10 If the resolution agreement is breached, the complainant may then file a new discrimination complaint if he or she so chooses.

6.4.4 If the complainant does not wish to file a complaint and has clearly articulated a basis upon which a complaint could be filed, FAIR staff, in consultation with the Manager-Civil Rights Compliance or the FAIR Director determines whether counseling the respondent is appropriate to address the concerns raised.

6.4.4.1 In such instances, the EEO Officer will draft an Employee Counseling Form (see Figure 2). The template is found in the FAIR Shared Drive.

6.4.4.2 The EEO Officer or the Manager-Civil Rights Compliance will meet with the respondent and go over the allegations and the policy(ies) that may have been violated.

6.4.4.3 The respondent will sign and date the Employee Counseling Form (see Figure 2) which will be saved in the FAIR Shared Drive.

6.4.4.4 The Information Required Sheet (see Figure 3) is updated by the EEO Officer or the Manager-Civil Rights Compliance and sent to the EEO Coordinator to close the case in PeopleSoft HCM.

6.4.5 There may be instances where the complainant does not want to proceed with a complaint but has provided enough information to FAIR that it will be necessary for FAIR to conduct a formal investigation.

6.4.6 Formal Process - There are two ways in which the complainant can file a formal complaint.

6.4.6.1 After an intake interview, the EEO officer will prepare the formal complaint based on the information provided by the complainant.

6.4.6.1.1 The FAIR Formal Complaint Form (see Figure 5) must be signed and dated before it can be filed with FAIR.

6.4.6.1.2 The date of the signed/dated FAIR Discrimination Complaint Form (see Figure 5) will be used as FAIR's acceptance and filing date of the complaint.

6.4.6.2 The second way to file a complaint is for the complainant to complete FAIR's Discrimination Complaint Form (see Figure 5), sign and date it and send it to the OEEOHotline@wmata.com.

6.5 After the Complaint has been Filed with FAIR

6.5.1 The EEO Coordinator updates the PeopleSoft HCM entry with signature, date and any other relevant information.

- 6.5.2 The Manager-Civil Rights Compliance assigns the complaint to an EEO Officer for investigation.
 - 6.5.2.1 Timeframe: Upon receipt of a signed complaint of discrimination, the EEO Officer will begin the investigation process. The investigation process should be concluded in 90 business days. If the investigative process cannot be concluded in the 90-business day timeframe, the EEO Officer will provide written documentation for the delay to the Senior Vice President of Internal Business Operations (IBOP) and document the complaint file as to the reasons for the delay.
 - 6.5.2.1.1 If the respondent is a Local 689 union member, then the investigative process must be completed within 60 calendar days.
 - 6.5.2.2 Note: There will be circumstances where investigative activities are undertaken but fall short of a full investigation. Such instances will be determined by the Director of FAIR. In such instances the assigned EEO Officer will document all interviews conducted or evidence gathered and reviewed as noted above.
 - 6.5.2.2.1 To conclude the truncated process, EEO Officer will prepare a memorandum to file outlining actions taken, information/evidence gathered and reviewed, analysis of the allegations and evidence/information supporting or negating the allegations and a determination.
- 6.5.3 The EEO officer assigned to the complaint is responsible for investigating accepted claims of prohibited employment discrimination
 - 6.5.3.1 The EEO Officer is responsible for interviewing complainant, respondent and all relevant witnesses and documenting the interview with interview notes to the complaint file on the FAIR Shared Drive.
 - 6.5.3.1.1 The EEO Officer will ask open-ended, non-judgmental questions.
 - 6.5.3.1.2 Avoid asking leading questions or those with a simple “yes” or “no” answer, except related to allegations witnessed by the individual.
 - 6.5.3.1.3 Use investigation interview forms where appropriate.
 - 6.5.3.1.4 Avoid the appearance of impropriety or favoritism in conducting interviews.
 - 6.5.3.1.5 Observe and record all physical and verbal reactions of the witnesses during the interviews. The EEO Officer will not record conclusions or opinions regarding credibility about witnesses.

- 6.5.3.1.6 Interview each witness separately by telephone, video conference or in- person in an office or room where the discussion will not be overheard by other witnesses, the alleged harasser, or any other unauthorized persons.
 - 6.5.3.1.7 Before beginning the interview, explain the purpose of the interview by referring generally to recent complaints about the relationship between the complainant and the respondent.
 - 6.5.3.1.8 Emphasize that WMATA takes these charges very seriously and is investigating these charges by interviewing all potential witnesses in compliance with WMATA policy.
 - 6.5.3.1.9 Explain that upon completion of the investigation, FAIR will attempt to determine what occurred, and will take appropriate action based on its determination.
 - 6.5.3.1.10 Both the potential complainant and the alleged discriminating individual (respondent) should be advised that each will be apprised of the results of the investigation and any referrals for appropriate corrective action. Both parties will also be advised the complaint process is confidential and should not be discussed in the workplace or among co-workers.
 - 6.5.3.1.11 Instruct any witnesses interviewed not to discuss the matters covered during the interview with any co-employee or the complainant or the respondent. Explain to the witness that confidentiality is necessary to protect the integrity of the investigation and to ensure that WMATA receives trustworthy information in an atmosphere free from coercion. FAIR will maintain each person's confidentiality throughout the investigation to the best of its ability.
 - 6.5.3.1.12 Explain to all witnesses that retaliation will not be tolerated by anyone. If someone attempts to retaliate against them for participating in this investigation, advise the witness to contact FAIR immediately to report such.
- 6.5.3.2 The EEO Officer will document the interviews on the Interview Notes Form (see Figure 6), found in the FAIR Shared Drive and shall reflect the date and method of interview.
- 6.5.3.3 The EEO Officer will consider credibility determinations, if applicable. Factors include: the results of the investigation. memory - perception - truthfulness - corroboration or lack thereof - bias of witnesses - consistency of accounts - prior misconduct or lack thereof, and implications of such conduct - plausibility of accounts and non-verbal communication.

6.5.3.4 The EEO Officer will gather pertinent documents and records, and conduct whatever inquiry is necessary.

6.5.3.4.1 Insofar as FAIR is committed to maintaining its records electronically, EEO Officers are required to ensure investigative documents, including interview notes, statements taken, documents received and reports of investigation, are maintained in the appropriate complaint file folders on the FAIR Shared Drive.

6.5.3.5 The EEO Officer will collect various data and information sources to obtain, analyze, and present facts.

6.5.3.6 The EEO Officer will resolve discrepancies by conducting additional fact-finding, securing additional witness testimony, and reviewing additional documents.

6.6 Preparation of the Report of Investigation (ROI)

6.6.1 Upon completion of any investigation, each EEO Officer shall complete a Report of Investigation (ROI) (see Figure 7). There is a template of this document maintained on the FAIR Shared Drive at \Forms-Quick\SAMPLE Report of Investigation.docx.

6.6.2 The EEO Officer will compile an investigative file and prepare an investigative report, summarizing all relevant facts to decide the likelihood whether violation of Metro's anti-discrimination policies did or did not occur as alleged - -Cause or No Cause finding.

6.6.2.1 If there is a cause finding, the EEO Officer in collaboration with FAIR management will make a recommendation regarding corrective action. The investigation need not be exhaustive but adequate and thorough to make a determination.

6.6.3 When an EEO Officer begins drafting an ROI, that document should be titled *draft* and saved as the EEO Officer develops the completed document. The sections of the ROI are as follows:

6.6.3.1 Background should begin stating the date the complaining party filed the complaint. The Background section should state a summary of the complaint. In some instances, the complaint may be sufficiently simple to be fully included in the background. The first reference to the complaining party and the alleged discriminating individual (respondent) should include in parentheses the identifier(s) of the protected category/categories incorporated in the complaint. For example, in a complaint alleging race, the race of the complaining and responding party should be incorporated in parentheses immediately after the first reference. The Background should also include what the complaining party alleged occurred or was said that the complaining party believes/feels/perceives or alleges was discriminatory and what Policy/Instruction is implicated.

- 6.6.3.2 Scope of Review is a summary of what was investigated in the investigation as well as identification of the assigned EEO Officer.
- 6.6.3.3 Interviews of Complainants, Respondents, & Witnesses – These sections should be completed based on information secured during interviews conducted but may also include information provided in other ways. Interview notes should be written in the 3rd person except where direct quotes are used. Information regarding when and how the interview was conducted should be in the first paragraph. Information provided in interviews during the investigation upon which the complaint determination relies or is based needs to be included in the summary of the statement of the person providing that information.
- 6.6.3.4 Analysis – this section should start with statements regarding the applicable or implicated Policy/Instruction(s) citing specific provisions used in reaching the complaint determination. The analysis should reflect a summary of facts or evidence reviewed or considered in reaching a decision as to whether the allegations are substantiated. It is the responsibility of the EEO Officer to determine the finding for the complaint: a finding of Cause, where the allegation(s) of a violation of the implicated policy/instruction was/were substantiated; a finding of No Cause, where the allegation(s) was/were not substantiated.

Recommendation – Where the decision on the complaint is Cause, the EEO Officer, in consultation with Employee Relations and FAIR management, will incorporate recommendations to ensure that the violative behavior substantiated by evidence/information will not reoccur. Recommended corrective actions may include a) counseling; b) disciplinary suspension; c) demotion; d) training; or e) termination. FAIR will strive to recommend corrective actions consistently based on the type of violative behavior identified through investigation. Factors in determining appropriate remedial action to take include: - credibility of alleged respondents, complainants and witnesses - prior conduct, if any (positive or negative) - prior discipline of alleged harasser - level of harassment, including type and frequency of conduct - alleged harasser's knowledge of WMATA's rules of conduct - prior disciplinary "precedent" for identical, similar or analogous misconduct - public and employee relations issues.

6.7 Closing a Complaint

- 6.7.1 Communication of Findings and Finalization of Investigation – After the Director of FAIR approves the ROI via email and upon a “No Cause” finding, EEO Officers prepare closing letter determination for the complaining and the responding party.
 - 6.7.1.1 There is a template for these documents. [.\.\Forms-Quick\Determination Template2.docx](#).

- 6.7.2 The Manager-Civil Rights Compliance reviews and approves the closing letter determinations.
- 6.7.3 Once the closing letter determinations are approved, they are sent to the complainant and respondent(s). The FAIR complaint investigative process is completed and the complaint is closed as of the date the respondent's closing letter.
- 6.7.4 If the ROI results in a "Cause" finding, the EEO Officer prepares a determination memorandum, approved by the Manager- Civil Rights Compliance and/or the Director of FAIR for the respondent's executive level management personnel.
 - 6.7.4.1 A template of this document is on the FAIR Shared Drive at ..\..\Forms-quick\Determination memo to Mgmt-.docx. The EEO Officer prepares closing letter determinations for the complainant and respondent(s) as outlined above. The complaint investigative process and complaint is closed as of the date of the complainant's closing letter. The complaint file will remain open until FAIR receives documentation of the implementation of the corrective action.
- 6.7.5 To close out the complaint, the EEO Officer updates the Information Required Sheet (see Figure 3) document with the closing date. This document is sent to the EEO Coordinator to close the complaint in PeopleSoft Human Capital Management (HCM).
- 6.7.6 If FAIR recommends corrective action, FAIR will notify and consult with Employee Relations (for non-represented employees) and Labor Relations (for represented employees) about the recommended corrective action and request documentation of the corrective action once it is completed.

7 Safety Management

- 7.1 This document has been created in compliance with WMATA's safety plan and safety policy. Any hazards and risks associated with the processes within this document have been evaluated for safety, and have appropriate mitigation strategies established as part of WMATA's overall risk assessment management, where applicable and/or relevant. This document is also subject to monitoring for safety risk mitigation adherence and safety performance, and has effective communication practices in place, including adequate safety training to ensure competencies, and to solicit feedback from the affected employees, where applicable and/or relevant. For further guidance on WMATA's safety plan, visit the Department of Safety and Environmental Management's (SAFE) intranet homepage.
- 7.2 FAIR follows a formal data security policy to protect background check information. Employees, contractors, and supervisors are trained on WMATA's data security policies. Employee data is only collected for job-related information. FAIR only retains information for as long as the records must be kept, following Federal, state and local recordkeeping, disposition and privacy laws. The Chief of Human Resources (CHRO) is responsible for maintaining all background check records in a manner that ensures confidentiality and integrity of information policy [WMATA Policy

Instruction 7.2.3, *Criminal Background Checks*, Section 4.01]. FAIR staff members (employees and contractors) are instructed to inform management if they suspect someone has gained unauthorized access to protected information. Unauthorized copying, transmitting, viewing, or use of sensitive employee information is subject to discipline, up to and including termination. FAIR also implements administrative, technical and physical controls to properly secure employee records. Paper records are stored in a locked location with access limited to one individual who is responsible for maintaining the files. Electronic records are encrypted, password protected and maintained on a secure server. Electronic systems are evaluated regularly to ensure that new technology and viruses do not compromise security. Medical records of personnel are always separate from employee personnel files, per the Americans with Disabilities Act (ADA) of 1990.

8 References

- 8.1 WMATA Policy Instruction (P/I) 1.1 *Document Governance and Hierarchy*
- 8.2 WMATA Policy Instruction (P/I) 6.1 *Records Management*
- 8.3 WMATA Records Retention Manual
- 8.4 Policy Instruction (P/I) 7.1.1/2 Equal Employment Opportunity and Affirmative Action
- 8.5 Policy Instruction (P/I) 7.1.5 Non-Retaliation
- 8.6 Policy Instruction (P/I) 7.1.2/2 Anti-Sexual Harassment and Other Harassment
- 8.7 Policy Instruction (P/I) 7.1.4 Religious Accommodation
- 8.8 Policy Instruction 7.2.3, *Criminal Background Checks*
- 8.9 Americans With Disabilities Act (ADA) of 1990 (42 U.S.C. § 12101)
- 8.10 Age Discrimination in Employment Act of 1967 (ADEA)

9 Records

Figure 1. Master – All Cases Assigned

WASHINGTON METROPOLITAN AREA TRANSIT ADMINISTRATION



OFFICE OF FAIR PRACTICE

Office of Equal Employment Opportunity
600 Fifth Street, N.W., Suite 7G
Washington, DC 20001

EEO COUNSELING INFORMATION

Employee Being Counseled/Employee ID number

1. This document captures information shared during a counseling session provided after concerns were raised by another employee.
2. The intent of this document is to memorialize the important policy issues and advice provided to guide future behavior and activities so as to comply with all relevant WMATA policies and procedures.
3. Reprisal or retaliation action will not be permitted against any parties involved in the incident from which this complaint arose.
4. In the event that there is a reoccurrence of the type of behavior alleged by this employee or any conduct which violates the policies discussed further corrective action will be taken, up to and including termination, depending upon the severity of the violation or behavior.

ADVISEMENT

[What Happened] Concerns have been raised that since you came to Perry, there have been allegations that you have been discussing with other employees the prior sexual harassment complaint filed against you by Jane Roe. Allegations have been made you have engaged in conversations regarding that sexual harassment complaint with more than one other employee. You are hereby advised that if such conversations are taking place this could constitute retaliation in violation of the following WMATA policies:

WMATA's P/17.1.2/1 *Anti Sexual Harassment and Other Harassment* ("the Policy") requires all WMATA employees to avoid any action or conduct that could be viewed as harassment or retaliation. [Add something about what was alleged] This would include discussing the complaint that was filed against you and disparaging the Complainant.

WMATA'S General Manager's Policy Statement on Harassment and Retaliation also states employees must avoid any action or conduct which could be viewed as retaliatory. It is important

that you avoid acting in any manner towards patrons, especially those who have filed a complaint, which could be viewed as retaliation.

This policy states that WMATA will not tolerate harassing conduct which affects tangible job benefits, interferes with work performance, or creates a hostile, intimidating, belittling or offensive work environment. Nor, does WMATA tolerate retaliation.

Please be advised that WMATA will investigate all complaints or allegations of conduct which could be construed as sexual harassment and is committed to taking appropriate action to correct identified violations of any of these policies.

This document constitutes a clear statement of WMATA policies governing your conduct as an employee and outlines of the expectations for your conduct towards WMATA patrons. By signing this document, you acknowledge that: you received a copy of each of the aforementioned policy(ies); you understand these policies; you understand the expectations for your conduct as a WMATA employee; and you understand the potential consequences of failing to fulfill those expectations. Signing this document does not constitute an admission of wrongdoing or violation.

Signatures	Date	
John Doe #		
Investigator name OEEO		

Figure 3. Information Required Sheet (2 pages)

PEOPLE SOFT
INFORMATION REQUIRED FOR A "DOCKET NUMBER":

DOCKET NO: _____ **DATE:** _____ **Investigator Initials:** _____

To **OPEN** an inquiry, initial information is required: *(PeopleSoft HCM: Workforce Administration > Job Information > Job Data):*

1. Employee's Name/ID number
2. Employee's Dept ID/Location ID number
3. Employee - Union Represented
4. Respondent's Name/ID number
5. Respondent's Dept ID/Location ID number
6. Respondent - Union Represented
7. Summary of Allegation: *(A brief description of the allegations is needed for PeopleSoft and the master assignment sheet.)*

Use this section to **OPEN/CLOSE** an inquiry, choose a bases:

1. Bases for Complaint: _____

1 - Age	10 - Military or Veteran Status
2 - Ancestry	11 - National Origin
3 - Citizenship Status	12 - Race
4 - Color	13 - Religion
5 - Disability - Mental	14 - Reprisal (Retaliation)
6 - Disability - Physical	15 - Sex/Gender
7 - Ethnicity	16 - Sexual Harassment
8 - Genetic Information	17 - Sexual Orientation
9 - Marital or Familial Status	18 - Status as a Parent

"Issues" of **Claim** - Type the number(s) that applies: _____

1 - Appointment/Hire	15 - Other
2 - Assignment of Duties	16 - Pay including Overtime
3 - Awards	17 - Promotion
4 - Conversion to Full-Time	18 - Reasonable Accommodation
5 - Disciplinary Action - Demotion	19 - Reassignment - Denied
6 - Disciplinary Action - Other	20 - Reassignment - Directed
7 - Disciplinary Action - Removal	21 - Reduction-in-Force
8 - Disciplinary Action - Reprimand	22 - Reinstatement
9 - Disciplinary Action - Suspension	23 - Release from Temp Position
10 - Duty Hours	24 - Retirement
11 - Evaluation/Appraisal	25 - Termination
12 - Examination/Test	26 - Terms/Conditions of Employment
13 - Harassment	27 - Time and Attendance
14 - Medical Examination	28 - Training


2. Final Resolution Code: **Type the resolution type from the list below that applies** _____

<u>CODE</u>	<u>DESCRIPTION (Formal Closure)</u>	<u>EXAMPLE:</u>
VNC	No Probable Cause	Unsubstantiated
VPC	Probable Cause	Substantiated
<u>CODE</u>	<u>DESCRIPTION (EEOC Charge Closure)</u>	<u>EXAMPLE:</u>
NRS	Notice of Rights to Sue	EEOC Dismissal Notice
<u>CODE</u>	<u>DESCRIPTION (Informal Closures)</u>	<u>EXAMPLE:</u>
EEC	EEO Counseling	CP doesn't want to file formal, wants RP to top.
EPR	Employee Assist Referral	Gathering info – asking questions – general information.
EAV	Employee Advisement	General advise given to employee about the about the complainant process, jurisdiction of OEEO or general advice about EEO matters.
MAV	Management Advisement	General advised give to management about an EEO issue
VAC	Administratively Closed	No contact, all attempts made, no basis indicated. Failed to participate in process and failed provide information
VAR	Alternative Dispute Resolutions	CP agreed to try to resolve issues through mediation or other alternative dispute resolution methods
VOT	Referred to Other	Referred to Other offices/departments not listed (Talent Acquisition, HR, OHAW, etc.)
VAD	Referred to ADA	
VER	Referred to Employee Relations	
VLR	Referred to Labor Relations	

3. Resolution Comments: A brief statement referencing a "closing" document or action taken: *(Type your statement below. PLEASE INDICATE: CAUSE or NO CAUSE; or CORRECTIVE ACTION TAKEN: Counseling/Other/Suspension (# OF DAYS FOR SUSPENSION) /Termination/Training)*

Final Closeout Date: _____

Figure 5. FAIR Discrimination Complaint Form (2 pages)



Office of Equal Employment Opportunity
 Department of Fair Practice

DISCRIMINATION COMPLAINT FORM

The Office of Equal Employment Opportunity (OEEO) is the component of WMATA responsible for ensuring the Activities of the Authority are undertaken in compliance with all applicable federal laws that prohibit discrimination and retaliation, as an employer and as a provider of public transportation services. OEEO is responsible for the development, administration, and monitoring of WMATA's Equal Employment Opportunity Program (EEO), Affirmative Action Plan (AAP), and Title VI Program. These two programs ensure the fair and equitable treatment of applicants, employees, and customers. OEEO is the arm of corporate commitment to equal employment opportunity and non-discrimination and serves to ensure compliance with applicable federal laws.

Please complete this form and email it to OEEOHotline@wmata.com

Date:

<p>Person Filing Complaint:</p> <input style="width: 100%; height: 20px;" type="text"/> <hr/> <p>Name Emp #</p> <input style="width: 100%; height: 20px;" type="text"/> <hr/> <p>Position</p> <input style="width: 100%; height: 20px;" type="text"/> <hr/> <p>Department/Location</p> <input style="width: 100%; height: 20px;" type="text"/> <hr/> <p>Day Time Phone</p> <input style="width: 100%; height: 20px;" type="text"/> <hr/> <p>E-mail</p> <input style="width: 100%; height: 20px;" type="text"/>	<p>Person or Entity you are Filing a Complaint about:</p> <input style="width: 100%; height: 20px;" type="text"/> <hr/> <p>Name</p> <input style="width: 100%; height: 20px;" type="text"/> <hr/> <p>Position</p> <input style="width: 100%; height: 20px;" type="text"/> <hr/> <p>Department/Location</p> <input style="width: 100%; height: 20px;" type="text"/> <hr/> <p>Day Time Phone</p> <input style="width: 100%; height: 20px;" type="text"/>
---	---

What is the basis of alleged violation (please check area(s) that applies to your complaint):

<input type="checkbox"/> Disability (Mental or Physical)	<input type="checkbox"/> Religion
<input type="checkbox"/> Race	<input type="checkbox"/> Marital or Familial Status
<input type="checkbox"/> National Origin, Ancestry, Ethnicity	<input type="checkbox"/> Retaliation (for participation in a protected activity)
<input type="checkbox"/> Military/Veteran Status Discrimination	<input type="checkbox"/> Sexual Harassment
<input type="checkbox"/> Color	<input type="checkbox"/> Sexual Orientation/Gender Identity
<input type="checkbox"/> Age (40 and over)	<input type="checkbox"/> Sex (including pregnancy, childbirth, etc)
<input type="checkbox"/> Genetic Information	

Issues
 Promotion
 Discipline
 Hostile Work Environment
 Transfer
 Harassment
 Assignment
 Sexual Harassment
 Hiring
 Overtime

Other:

Witness Information (Attach additional sheets if necessary)

Name _____
Position Title _____
Department/Work Location _____
Contact Phone _____
Date and time witnessed incident _____

Please clearly describe the discriminatory violation that has occurred in the last six (6) months that you would like to bring to the attention of OEEO. Describe the nature of the incident, the date, where the incident occurred, names of any witnesses and alleged wrongdoers and their contact information. Please also include copies of any supporting documentation (do not include the original documents). Please attach additional pages if needed.

Requested Remedy (Attach additional sheets if necessary)

By signing this document you confirm the contents of the information you provided is accurate and truthful to the best of your knowledge.

Signature


Figure 6. Interview Notes Form

[INTERVIEW NOTES]

Date:			
Participants			
Names:	Job title	Empl. #	Contact #

Figure 7. Report of Investigation Form (2 pages)

WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY



DEPARTMENT OF FAIR PRACTICES
 Office of Equal Employment Opportunity
 600 Fifth Street, N.W., Suite 7G
 Washington, DC 20001

REPORT OF INVESTIGATION
 Complaint Number: 2018-000000

DRAFT

Name of Complainant, Title
 Department
Complainant

Against

Name of Respondent, title
 Department
Respondent

BACKGROUND

Here provide date of complaint, issues and policies alleged to have been violated.
 On October 16, 2018, _____, Job Title filed a complaint with the Office of Equal Employment Opportunity (OEEO) alleging he/she was subjected to discriminatory treatment on the basis of _____. Mr./Ms. _____ (Complainant) alleged that _____, Job Title, (state allegation) the basis of _____ in violation of Washington Metropolitan Area Transit Authority's (WMATA) Policy Instruction 7.1.1 EEO Policy or 7.1.2/2, *Anti-Sexual Harassment and Other Harassment (the Policy)*, when:

The Complainant seeks:

SCOPE OF REVIEW

An investigation was conducted to determine whether the Respondent's alleged behavior constituted a violation of Title VI or any applicable Metro Policies, _____, job title, investigated the allegations set forth in this complaint.

Report of Investigation 2018-000000
 Name of Complainant

Page 1 of 2

COMPLAINANT'S STATEMENT
Complainant's name, title and location
Summarize statement based on questions asked during the interview.

RESPONDENT STATEMENT
Respondent's name, title and location
Summarize statement based on questions asked during the interview.

WITNESSES STATEMENTS

ANALYSIS AND FINDINGS
The Respondent has admitted to making comments to the complainant which are based on the fact that she is a woman. He has admitted that he kissed her hand. Unwanted comments based on sex, even if said in jest, are prohibited by the Policy. Likewise, unwanted contact, such as kissing another person, is also prohibited by the policy. Therefore, we find that the Respondent has violated the Policy.

IV. RECOMMENDATIONS:
OEEO recommends that management refer the Respondent to OEEO for a review of the Policy so that he is aware of the requirements of the Policy and WMATA's expectations of all employees.

FINDING: No Cause/Cause

Submitted by:

Your name
Title

December 24, 2018
Date

*Report of Investigation 2018-000000
Name of Complainant*

Page 2 of 2

10 Appendices, Attachments and/or Exhibits

N/A

11 Approvals

Controlled Document I hereby state that I have found no errors of this controlled quality document,
and thus the document is ready for release

Content Approved

Name Jan M. Bryant Title: Director, Office of Fair Practices

Jan M Bryant

Signature

November 16, 2020

Date

Controlled Quality Document I authorize this controlled quality document for release.

Document Authorized for Release

Name _____ Title: DQMS Manager/Coordinator (or similar function)

Signature

Date