



## INTAKE INTERVIEW CHECKLIST FOR COMPLAINANTS

Equal Employment Opportunity (EEO) Investigators read complainants the following checklist at the beginning of an intake interview.

### ROLE OF THE INVESTIGATOR

- My role (the investigator's role) is that of a neutral fact finder. I do not represent you (the complainant) or your department.
- My role is to determine whether you have alleged an inference of discrimination requiring further investigation.
  - I will take notes during the interview.
  - The City and your department have an obligation to investigate claims of discrimination, harassment, and retaliation, and we are conducting this interview/intake consistent with those obligations.
  - After our meeting, I will review the information you provided and make a recommendation as to whether or not there will be further investigation.

### EXPECTATIONS OF THE COMPLAINANT

- The City and your department take these allegations seriously.
  - You should cooperate by providing any written materials, names of witnesses, and other information to assist the investigation.
  - You must be truthful. If you are dishonest, you may be subject to discipline.

### REMEDIES

- This is an administrative process, which is different from the legal process. Therefore, remedies available are different from legal remedies.
- The remedy available here is generally a make-whole remedy, and does not include punitive damages, attorney's fees, pain and suffering, etc. However, there is a finding of discrimination, you may be entitled to a settlement.

### CONFIDENTIALITY

- To ensure the integrity of the investigatory process, all persons interviewed are asked not to discuss the investigation with anyone other than their representative.
- Specifically:
  - The fact you are being interviewed;

- The existence of the investigation; and
- The questions asked or answers provided.
- We ask that you maintain this confidentiality until the conclusion of the investigation.
- Disclosure of information regarding the investigation shall be limited to those persons with a legitimate need to know, but complete confidentiality cannot be promised.
  - People with a need to know may include EEO Managers, the EEO Director, the Human Resources (HR) Director, your department head and HR and EEO personnel.

### **RETALIATION IS PROHIBITED**

- Retaliation for participating in the EEO complaint process is prohibited by law and by the City's policies, and will not be tolerated.
- If you believe you are being retaliated against, immediately contact your department's personnel officer, any supervisor, HR or EEO personnel, DHR, or me.

### **RESOLUTION OF COMPLAINTS**

- The HR Director for the City and County of San Francisco is responsible for the review and resolution of all complaints excluding those filed by employees of the San Francisco Municipal Transportation Agency (SFMTA) – the Director of Transportation is responsible for the review and resolution of all complaints filed by SFMTA employees.
- The decision of the HR Director or Director of Transportation may be appealed to the Civil Service Commission.
- Do you have any questions about the process?