

PART I DISCRIMINATION COMPLAINT RESOLUTION

The goal of this activity is to provide equity and uniformity in the impartial and timely resolution of employment discrimination/harassment complaints, as well as to provide a mechanism for Fulton County to resolve such complaints internally, where possible. Part I of the report not only includes information regarding complaint related activity for the 4th quarter (See: Sections A & B) but also provides a three year summary of complaint filing by department and program cluster, allegations by basis, and resolution/disposition (See: Sections C through E). To facilitate comparison of annual complaint activity among County entities, the OEEODA organized departments into five program clusters: Internal Services¹; South Fulton²; Justice System³; Health and Human Services⁴ and Other⁵.

(A) 4th QUARTER⁶ COUNTYWIDE COMPLAINT ACTIVITY

Data concerning internal/external complaint filing/investigation; resolution activity; related allegations as well as compliance reviews conducted during the 4th Quarter 2009 are reported in the data that follow:

1. **Complaints Processed and Special Emphasis:** At the beginning of the fourth quarter the OEEODA possessed 18 cases in an open investigation status, including 11 internal and 7 EEOC charges. At that time no aged cases (more than 90 days old) were among the open investigations. With regard to the current reporting period's new filing and closure activity, the Office received a total of 19 new filings (including 6 internal and 13 EEOC complaints) and completed work on 18 investigations (including 8 internal and 10 EEOC complaints) accordingly. In addition, dismissal/right to sue determination notices were received from the EEOC in relation to 3 pending claims during the reporting period. At the end of the reporting period there were 15 cases in an active open investigation status. Investigations on four (4) internal charges have been held pending the outcome of investigations of EEOC charges on the same or similar claims. Finally, at the end of the reporting period one (1) of the open EEOC investigations involved an aged claim. (See: Table 1)
2. **Compliance Reviews:** Compliance reviews are investigations initiated by the OEEODA or at the request of senior managers when an incident occurs

¹ Includes the following departments: County Manager, Finance, General Services, Information Technology, Personnel, and Purchasing,

² Includes the following departments: Emergency Services, Fire, Parks and Recreation, Police, and Public Works/Environment and Community Development

³ Includes the following departments: County Marshal, District Attorney, Juvenile Court, Medical Examiner, Probate Court, Public Defender, Sheriff, State Court General, State Court Solicitor, Superior Court Clerk and Superior Court General

⁴ Includes the following departments: Arts, Cooperative Extension, Health and Wellness, Human Services, Housing and Community Development, Library, and Mental Health

⁵ Includes the following departments: Commissioners' Offices/Clerk to the Commission, County Attorney, Registration and Elections, State Court All Judges, Superior Court All Judges, Tax Assessor and Tax Commissioner

⁶ Reflects program activity undertaken between September 23, 2009 and December 18, 2009

which might involve a violation of Fulton County EEO Policies and Procedures. At the beginning of the reporting period, the OEEODA possessed 6 compliance reviews in open investigation status. During the current reporting period the Office received 6 new compliance review requests from departments and completed 10 investigations. At the end of the reporting period there were 2 compliance review requests in an active open investigation status. One investigation has been internally held pending the outcome of a Police investigation related to the same incident as per recommendation from the County Attorney's Office.

3. **Specific Allegations Contained in EEO/EEOC Complaints**

The OEEODA also reviewed the specific allegations contained within complaints filed during the reporting period. Allegations of *Retaliation* (13) and *Gender* (12) were filed with a greater frequency during the reporting period compared to other allegations. (See Graph 1)

4. **Additional Information Requests**

The OEEODA also coordinated activities associated with several extensive requests for additional information and/or on-site visits from the EEOC as well as from the County Attorney in conjunction with claims for the following departments: General Services (1); Information Technology (1); Sheriff (1); Public Works (3); and Juvenile Court (3).

5. **Investigation Recommendations Follow Up**

The OEEODA also monitored the implementation of recommendations that appropriate sanctions/remedial actions⁷ be taken against employees who were found to have violated Fulton County EEO related policies pursuant to investigations completed in the current and/or previous quarters. Departments contacted included: General Services, Health and Wellness, Library, Public Defender and Superior Court Clerk.

⁷ To include attendance at Sexual Harassment Prevention Training

GRAPH 1: Q-4 ALLEGATIONS BY JURISDICTIONAL BASIS

