



SCANNER NOTE:

This file was received with pages that may have the following conditions: Areas that appear to have information cut off, extremely light text or handwriting, broken text, thin onion skins, torn, lines, skewed, or dark bands of ink.

RESOLUTION NO. R06-07 CMS

A RESOLUTION AUTHORIZING AND DIRECTING THE LAW DIRECTOR TO REPRESENT THE CITY OF OBERLIN IN REGARD TO A COMPLAINT OF DISCRIMINATION PRESENTLY PENDING BEFORE THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION AND DECLARING AN EMERGENCY

BE IT RESOLVED by the Council of the City of Oberlin, County of Lorain, State of Ohio, five-sevenths (5/7ths) of all members elected thereto concurring:

SECTION 1. That the Law Director is hereby authorized and directed to represent the City of Oberlin in a discrimination complaint presently pending before the United States Equal Employment Opportunity Commission, being Charge No. 532-2006-00393, and to conduct any and all investigations, discovery and other proceedings in said matter as he deems appropriate, all to be charged as extraordinary expense to the City.

SECTION 2. It is hereby found and determined that all formal actions of this Council concerning or relating to the adoption of this Resolution were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 3. That this Resolution is hereby declared to be an emergency measure necessary for the preservation of the public peace, health and safety of the citizens of the City of Oberlin, Ohio, or to provide for the usual daily operation of a municipality, to wit:

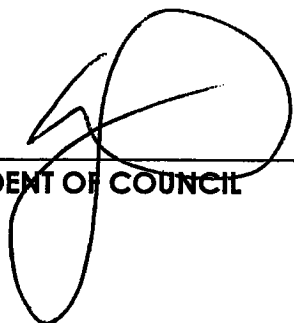
"to provide for the immediate defense of a pending complaint" and shall take effect immediately upon passage.

PASSED: 1st Reading – March 20, 2006 (E)
 2nd Reading –
 3rd Reading –

ATTEST:



CLERK OF COUNCIL



PRESIDENT OF COUNCIL

POSTED: March 21, 2006

EFFECTIVE DATE: March 21, 2006

a:/RES06-09Gibblings.EEOCComplaint

050806

City of
Oberlin

Telephone
440-774-8519

Office of the Law Director
85 South Main Street Oberlin, Ohio 44074

Eric R. Severs
Law Director

Facsimile
440-776-2210

James Leo Walsh
Asst. Law Director & Prosecutor

May 9, 2006

CONFIDENTIAL
SUBJECT TO ATTORNEY-CLIENT PRIVILEGE

Ms. Sandra Kohart, Clerk
Oberlin Municipal Court
85 South Main Street
Oberlin, Ohio 44074

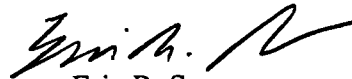
Re: Nancy Gibbings vs. City of Oberlin/Oberlin Municipal
Court/Sandra Kohart, Clerk of Court
EEOC Charge No. 532-2006-00393

Dear Sandy:

Enclosed is a copy of the U.S. EEOC dismissal and Notice of Rights concerning the above which I received on May 8, 2006. The EEOC has determined that the evidence provided does not establish a violation of Federal Rights.

Ms. Gibbings will now have 90 days to file her lawsuit, if she so desires. I will keep you advised. Thank you.

Yours truly,



Eric R. Severs
Law Director

ERS:kcf

Enclosure

cc: Honorable Thomas A. Januzzi, Judge Oberlin Municipal Court, w/encl.
Mr. Daniel Gardner, President, Oberlin City Council, w/encl.

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: Nancy Gibbings
1430 Redbud Place
Lorain, OH 44053

From: Cleveland Field Office - 532
AJCFB - Suite 3001
1240 E. 9th St
Cleveland, OH 44199

Empty checkbox

On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR §1601.7(a))

Table with 3 columns: EEOC Charge No. (532-2006-00393), EEOC Representative (Legal Duty Officer), Telephone No. ((216) 522-7445)

THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:

- List of reasons for closing the file, including: 'The facts alleged in the charge fail to state a claim...', 'Your allegations did not involve a disability...', 'The Respondent employs less than the required number of employees...', 'Your charge was not timely filed with EEOC...', 'Having been given 30 days in which to respond, you failed to provide information...', 'While reasonable efforts were made to locate you, we were not able to do so.', 'You were given 30 days to accept a reasonable settlement offer...', 'The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.', 'The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.', 'Other (briefly state)'

- NOTICE OF SUIT RIGHTS -
(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, and/or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit must be filed WITHIN 90 DAYS of your receipt of this notice; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a state claim may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.

On behalf of the Commission

Handwritten signature of Marie M. Tomasso

Marie M. Tomasso,
Director

04 MAY 2006

(Date Mailed)

Enclosures(s)

cc: Eric Severs
Eileen Joyce

U.S. Equal Employment Opportunity Commission

FORM 131 (5/01)

Mr. Thomas J. Januzzi, Judge
CITY OF OBERLIN
Oberlin Municipal Court
85 South Main Street
Oberlin, OH 44074

RECEIVED FILED

PERSON FILING CHARGE

Nancy Gibbings

THIS PERSON (check one or both)

Claims To Be Aggrieved

Is Filing on Behalf of Other(s)

EEOC CHARGE NO.

532-2006-00393

NOTICE OF CHARGE OF DISCRIMINATION

(See the enclosed for additional information)

This is notice that a charge of employment discrimination has been filed against your organization under:

Title VII of the Civil Rights Act

The Americans with Disabilities Act

The Age Discrimination in Employment Act

The Equal Pay Act

The boxes checked below apply to our handling of this charge:

1. No action is required by you at this time.

2. Please call the EEOC Representative listed below concerning the further handling of this charge.

3. Please provide by **10-APR-06** a statement of your position on the issues covered by this charge, with copies of any supporting documentation to the EEOC Representative listed below. Your response will be placed in the file and considered as we investigate the charge. A prompt response to this request will make it easier to conclude our investigation.

4. Please respond fully by **24-MAR-06** to the enclosed request for information and send your response to the EEOC Representative listed below. Your response will be placed in the file and considered as we investigate the charge. A prompt response to this request will make it easier to conclude our investigation.

5. EEOC has a Mediation program that gives parties an opportunity to resolve the issues of a charge without extensive investigation or expenditure of resources. If you would like to participate, please say so on the enclosed form and respond by **24-MAR-06** to **Loretta Feller, ADR Coordinator, at (216) 522-7678**. If you DO NOT wish to try Mediation, you must respond to any request(s) made above by the date(s) specified there.

For further inquiry on this matter, please use the charge number shown above. Your position statement, your response to our request for information, or any inquiry you may have should be directed to:

Daniel Cabot,
Acting Deputy Director

EEOC Representative

Telephone **(216) 522-4813**

Cleveland Field Office - 532
AJCFB - Suite 3001
1240 E. 9th St
Cleveland, OH 44199

Enclosure(s): Copy of Charge

CIRCUMSTANCES OF ALLEGED DISCRIMINATION

RACE

COLOR

SEX

RELIGION

NATIONAL ORIGIN

AGE

DISABILITY

RETALIATION

OTHER

See enclosed copy of charge of discrimination.

Date

Mar 10, 2006

Name / Title of Authorized Official

Jacqueline D. Rosemond,
Intake Supervisor

Signature

JDR/mpb

INFORMATION ON CHARGES OF DISCRIMINATION

EEOC RULES AND REGULATIONS

Section 1601.15 of EEOC's regulations provides that persons or organizations charged with employment discrimination may submit a statement of position or evidence regarding the issues covered by this charge.

EEOC's recordkeeping and reporting requirements are found at Title 29, Code of Federal Regulations (29 CFR): 29 CFR Part 1602 (see particularly Sec. 1602.14 below) for Title VII and the ADA; 29 CFR Part 1620 for the EPA; and 29 CFR Part 1627, for the ADEA. These regulations generally require respondents to preserve payroll and personnel records relevant to a charge of discrimination until disposition of the charge or litigation relating to the charge. (For ADEA charges, this notice is the written requirement described in Part 1627, Sec. 1627.3(b)(3), (a)(2) or .5(c), for respondents to preserve records relevant to the charge – the records to be retained, and for how long, are as described in Sec. 1602.14, as set out below). Parts 1602, 1620 and 1627 also prescribe record retention periods – generally, three years for basic payroll records and one year for personnel records. Questions about retention periods and the types of records to be retained should be resolved by referring to the regulations.

Section 1602.14 Preservation of records made or kept. Where a charge . . . has been filed, or an action brought by the Commission or the Attorney General, against an employer under Title VII or the ADA, the respondent . . . shall preserve all personnel records relevant to the charge or the action until final disposition of the charge or action. The term *personnel records relevant to the charge*, for example, would include personnel or employment records relating to the aggrieved person and to all other aggrieved employees holding positions similar to that held or sought by the aggrieved person and application forms or test papers completed by an unsuccessful applicant and by all other candidates or the same position as that for which the aggrieved person applied and was rejected. The date of *final disposition of the charge or the action* means the date of expiration of the statutory period within which the aggrieved person may bring [a lawsuit] or, where an action is brought against an employer either by the aggrieved person, the Commission, or the Attorney General, the date on which such litigation is terminated.

NOTICE OF NON-RETALIATION REQUIREMENTS

Section 704(a) of Title VII, Section 4(d) of the ADEA, and Section 503(a) of the ADA provide that it is an unlawful employment practice for an employer to discriminate against present or former employees or job applicants, for an employment agency to discriminate against any individual, or for a union to discriminate against its members or applicants for membership, because they have opposed any practice made an unlawful employment practice by the statutes, or because they have made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under the statutes. The Equal Pay Act contains similar provisions. Additionally, Section 503(b) of the ADA prohibits coercion, intimidation, threats, or interference with anyone because they have exercised or enjoyed, or aided or encouraged others in their exercise or enjoyment, of rights under the Act.

Persons filing charges of discrimination are advised of these Non-Retaliation Requirements and are instructed to notify EEOC if any attempt at retaliation is made. Please note that the Civil Rights Act of 1991 provides substantial additional monetary provisions to remedy instances of retaliation or other discrimination, including, for example, to remedy the emotional harm caused by on-the-job harassment.

NOTICE REGARDING REPRESENTATION BY ATTORNEYS

Although you do not have to be represented by an attorney while we handle this charge, you have a right, and may wish to retain an attorney to represent you. If you do retain an attorney, please give us your attorney's name, address and phone number, and ask your attorney to write us confirming such representation.

CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.

Charge Presented To:

Agency(ies) Charge No(s):

- FEPA
 EEOC

532-2006-00393

Ohio Civil Rights Commission

and EEOC

State or Local Agency, if any

Name (include Mr., Ms., Mrs.) Ms. Nancy Gibbings

Home Phone No. (incl. Area Code) 440-960-5221

Date of Birth 5/2/60

Street Address

City, State and ZIP Code

1430 Redbud Place Lorain, Ohio 44053

Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others (if more than two, list under PARTICULARS below.)

Name City of Oberlin/Oberlin Municipal Court

No. Employees, Members > 15

Phone No. (include Area Code) 440-775-1751

Street Address

City, State and ZIP Code

85 S. Main St. Oberlin, Ohio 44074

Name Sandra Kohart, Clerk of Court

No. Employees, Members

Phone No. (include Area Code) 440-775-1751

Street Address

City, State and ZIP Code

85 S. Main St. Oberlin, Ohio 44074

DISCRIMINATION BASED ON (Check appropriate box(es))

- RACE COLOR SEX RELIGION NATIONAL ORIGIN
 RETALIATION AGE DISABILITY OTHER (Specify below)
 Hostile work environment

DATE(S) DISCRIMINATION TOOK PLACE

Earliest

Latest

Approx. 2003

Nov. 7, 2005

CONTINUING ACTION

PARTICULARS ARE (if additional paper is needed, attach extra sheet(s)):

I commenced employment with the Oberlin Municipal Court in June 1999, first as a temporary employee and then as a permanent employee in July 2000 at which time, I was sworn in as a Deputy. In or about 2003, I was promoted by the Oberlin Clerk of Court Linda Kelley (hereinafter "Kelley") to another Deputy Clerk position of the Oberlin Municipal Court having increased responsibilities and duties. At all relevant times, I was the only Hispanic in my department. Almost immediately upon becoming Deputy Clerk, another Deputy Clerk, Sandra Kohart (hereinafter "Kohart"), a Caucasian, was hostile towards me and on multiple occasions, attempted to persuade Clerk of Court Kelly to reprimand and/or discipline me. On each occasion, Clerk of Court Kelly determined that Kohart's complaints about me were unfounded.

Following the retirement of Clerk of Court Kelly, Kohart was appointed as Clerk of Court and at that time, became my supervisor. Upon becoming my supervisor, Kohart's hostility and animosity toward me intensified notwithstanding that throughout my employment as Deputy Clerk, Kohart's supervisor, Judge Thomas Januzzi, verbally praised my performance and in fact, had personally recommended my promotion in June 2003.

Kohart exhibited hostility toward me and treated me adversely relative to non-Hispanic employees and Deputy Clerks in the following respects:

1. Kohart began reprimanding me for conduct in which non-Hispanics engaged without incidence or reprimand;
2. Kohart prohibited me, but not other employees, from taking lunch during the noon hour;

[CONTINUED ON NEXT PAGE]

I want this charge filed with both the EEOC and the State or Local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

I declare under penalty of perjury that the above is true and correct.

NOTARY - When necessary for State and Local Agency Requirements

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE: CLDO-CART UNIT
 (month, day, year)

Date

Charging Party Signature

EEOC
 MAR 06 2006
 RECEIVED

CHARGE OF DISCRIMINATION

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Charge Presented To:

Agency(ies) Charge No(s).

FEPA

EEOC

532-2006-00393

Ohio Civil Rights Commission

and EEOC

State or local Agency, if any

THE PARTICULARS ARE (Continued from previous page).

3. Kohart removed my voice mail notwithstanding that my position required and involved routine telephone communications with other court personnel and persons doing business with the Oberlin Municipal Court. On the other hand, Kohart permitted other employees whose work did not involve heavy telephone communications to maintain their voice mail systems;
4. Kohart denied my request for a vacation day to attend my son's graduation from the United State's military air-assault training on the ground that I was unable to produce a "graduation schedule" while other employees were not required to supply similar documentation prior to taking vacation time;
5. Kohart denied my request for vacation time for the reason that another department employee was scheduled for vacation, it allegedly being against court policy to permit absences of more than one departmental employee simultaneously; Kohart however, permitted simultaneous absences of non-Hispanic employees;
6. I routinely organized documents and files in preparation for the following day's work. Kohart, who generally arrived at work before my scheduled time of arrival, would remove the documents and files from my desk, rearrange and reorder them and place them back on my desk prior to my arrival. Consequently, upon my arrival at work, the completion of my work was delayed and disrupted because of Kohart's disordering and disorganization of my working files. It is believed that such practices of Kohart were intended to interfere with and sabotage my ability to perform my responsibilities. Kohart then reprimanded me for poor performance;
7. Upon Kohart becoming my supervisor, Kohart increased my job responsibilities. I was not advised of and not required to perform the additional responsibilities at the time of my promotion and Kohart subsequently required me to perform work that was not required of my predecessor Jennifer Kalassay ("Kalassay"), a non-Hispanic. On information and belief, my predecessor Kalassay performed significantly fewer duties than I did without reprimand. Additionally, on information and belief, Kalassay made computer input errors similar to the errors for which I was reprimanded. However, while Kalassay was permitted to and/or provided with the resources to correct such input errors, while under Kohart's supervision, I was not;
8. Routinely, Kohart arrived at work and before my arrival, performed duties that I was to perform that day and then reprimanded me for not having performed the duties that Kohart's conduct prevented me from performing in the first instance;
9. Kohart reprimanded me, but not my predecessor or other non-Hispanic employees, for not having paper work prior to court arraignments, such as arresting agency records, notwithstanding that the inability to obtain such records were beyond my control;

[CONTINUED ON NEXT PAGE]

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

NOTARY - When necessary for State and local Agency Requirements

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE
(month, day, year)

EEOC
CLDO-CART UNIT
MAR 06 2006

RECEIVED

Date

Charging Party Signature

CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.

Charge Presented To:

Agency(ies) Charge No(s).

FEPA

EEOC

532-2006-00393

Ohio Civil Rights Commission

and EEOC

State or local Agency, if any

THE PARTICULARS ARE (Continued from previous page).

10. Kohart monitored my but not other employees' use of restroom facilities in that, when I would leave my desk to use the facilities, Kohart sought me out to confirm that I was, in fact, in the restroom. Kohart's abusive behavior in this regard resulted in my making every attempt to avoid using the restroom during working hours; and

11. I raised some of my concerns about Kohart's treatment of me with Kohart's superior, Judge Thomas A. Januzzi. Thereafter, Kohart verbally reprimanded me for doing so and instructed me to speak only with her (Kohart) if I had complaints and/or concerns about Kohart. On two occasions beginning in or about May 2005, I requested a copy of my employer's policies and procedures. Despite my requests, I was never provided with a copy and therefore, I was effectively precluded from addressing Kohart's discriminatory conduct with anyone but Kohart. After Kohart learned that I complained about her, Kohart became even more hostile toward me and continuously reprimanded me for reasons created by her and/or for reasons that other non-Hispanic employees were not reprimanded.

During the week of October 30, 2005, Kohart interrupted me while I was working to berate me for not "working fast enough". Thereafter, Kohart announced that I was previously demoted by her predecessor. In most instances in which Kohart attempted to instigate confrontations with me, I did not defend myself. In this instance, however, I corrected Kohart's misrepresentation that I had been demoted when, in fact, I was promoted by her predecessor. My defense of my work history and performance caused Kohart to become even more agitated and Kohart instructed me to leave the premises. Thereafter, I asked Kohart if I was terminated. Kohart did not state that I was or would be terminated.

On November 5, 2005, before Kohart permitted me to return to work, my attorney, Eileen M. Joyce, wrote to Kohart raising concerns of Kohart's discriminatory treatment of me. Thereafter, on November 7, 2005, I was terminated.

EEOC
CLDO-CART UNIT

MAR 06 2006

RECEIVED

I want this charge filed with both the EEOC and the State or local Agency, if any. I will use the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

NOTARY - When necessary for State and local Agency Requirements

I declare under penalty of perjury that the above is true and correct.

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE
(month, day, year)

Feb 24 2006
Date

Jerry Gibbins
Charging Party Signature

IT MAY BE POSSIBLE TO RESOLVE THIS CHARGE BEFORE YOU SUBMIT THE POSITION STATEMENT OR OTHER INFORMATION WE HAVE REQUESTED.

If you are interested in exploring settlement or other early resolution of the charge, please contact us as soon as possible. Free voluntary mediation is available and is highly recommended for resolving a charge in a manner acceptable to both charging party and the employer. Information on our highly successful mediation program is enclosed for you information. If you are interested in trying to resolve the enclosed charge as soon as possible or want more information about voluntary mediation, please contact our Alternative Dispute Coordinator at (216) 522-7678.

HOWEVER, IF YOU ELECT AGAINST MEDIATION OR OTHER EARLY RESOLUTION OF THE CHARGE, YOU MUST PROVIDE THE POSITION STATEMENT OR OTHER INFORMATION WE HAVE REQUESTED ON THE ENCLOSED FORM 131.

The position statement is your opportunity to provide your response to the charge. If you dispute the charge allegations, your position statement must:

- ◆ provide a specific response to all charge allegations, with specific detail to your reasons and facts supporting your position;
- ◆ describe all witnesses, records or other materials relevant to the charge allegations which support the representations made in your position statement; and
- ◆ be accompanied by copies of the records or documents you identify in the statement.

FOR THOSE CHARGES ALLEGING SEXUAL, RACIAL OR OTHER UNLAWFUL HARASSMENT:

If you contend that the employer....

- ◆ took reasonable care to prevent the harassment and/or
- ◆ took appropriate corrective action when confronted with harassment conduct or allegations.

your position statement must

- ◆ describe in detail all you reasonable care efforts, including the dates and manner the reasonable care actions were implemented;
- ◆ describe the specific steps taken to investigate and remedy harassment, including the dates investigation was commenced and completed;
- ◆ be accompanied by all interview notes/statements prepared or obtained during the internal investigation, a copy of the final report and description of the disposition of the matter, and copies of all counseling /disciplinary notices which may have resulted;
- ◆ include a copy of the employer's anti harassment policy, including a description of the date the policy was implemented and information about the dates, manner and places the policy was posted/otherwise disseminated to staff.

Failure to provide this requested information with the position statement may be interpreted to mean the material does not exist or that the employer refuses to disclose it to EEOC.

Thank you for your cooperation. EEOC Cleveland District Office



EEOC MEDIATION YOUR PARTNER IN WORKPLACE SOLUTIONS

- ✓ ***Free***
Mediation is available at no cost to the parties.
- ✓ ***Fair and Neutral***
Parties have an equal say in the process and decide settlement terms, not the mediator. There is no determination of guilt or innocence in the process.
- ✓ ***Saves Time and Money***
Mediation usually occurs early in the charge process, and many mediations are completed in one meeting. Legal or other representation is optional but not required.
- ✓ ***Confidential***
All parties sign a confidentiality agreement. Information disclosed during mediation will not be revealed to anyone, including other EEOC investigative or legal staff.
- ✓ ***Avoids Litigation***
Lengthy litigation CAN be avoided. Mediation costs less than a lawsuit and avoids the uncertainty of judicial outcome.
- ✓ ***Fosters Cooperation***
Mediation fosters a problem solving approach to complaints and workplace disruptions are reduced. With investigation, even if the charge is dismissed by EEOC, the underlying problems may remain, affecting others in the workforce and human resources staff.
- ✓ ***Improves Communication***
Mediation provides a neutral and confidential setting where both parties can openly discuss views on the underlying dispute.
- ✓ ***Discover the Real Issues in your Workplace***
Parties share information, which can lead to a better understanding of issues affecting the workplace.
- ✓ ***Design your own Solution***
A neutral third party assists the parties in reaching a voluntary, mutually beneficial resolution. Mediation can resolve all issues important to the parties, not just the underlying legal dispute.
- ✓ ***Everyone Wins***
An independent survey showed 96% of all respondents and 91% of all charging parties who used mediation would use it again if offered.

Find out more at: www.eeoc.gov
1 (800) 669-4000 (Voice) or 1 (800) 669-6820 (TTY)



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Cleveland Mediation Program

A.J. Celebrezze Federal Office Building
1240 East 9th Street, Suite 3001
Cleveland, Ohio 44199
ADR Hotline (216) 522-7415
TTY (216) 522-8441
ADR FAX (216) 522-7389
Website: <http://www.eeoc.gov/mediate/index.html>

Invitation to Mediate

Charge No. & Case Name _____

This is an invitation to participate in the EEOC's Mediation Program. We offer this neutral, confidential, and popular alternative to both charging parties and respondents as an alternative to investigation (and possible litigation) of employment disputes.

If you choose to participate in mediation, you do not need to respond to the charge or to any request for information at this time. Action on the charge will be suspended until the mediation is complete.

If you choose not to mediate, you must respond to the charge and to any request for information by the date specified in the Notice of Charge of Discrimination.

Please return this form to:

Loretta J. Feller, ADR Coordinator
Equal Employment Opportunity Commission
1240 East 9th Street, Suite 3001
Cleveland, OH 44199
Phone: (216) 522-7678
FAX: (216) 522-7389
loretta.feller@eeoc.gov

Check here to **accept** mediation.

Propose 3 possible mediation dates during the next 6 weeks: _____, _____, _____

Name and title of attendee(s) _____

Check here to **decline** mediation.
We would appreciate your telling us why you declined mediation. This information will be used exclusively by the ADR Coordinator to evaluate the ADR program.

Comments: _____

On behalf of Respondent:

Name: _____ Title: _____

Street Address: _____

City, State & Zip: _____

Telephone: _____ Fax: _____

E-mail: _____