Proposal 15
Move this language to the MOU
SEIU reserves the right to add or modify or delete to the following proposal.
Rule 1800 DISCRIMINATION APPEALS

1820.01 INFORMAL INVESTIGATION

Upon the receipt of the written complaint, the Equal Employment Opportunity Officer shall attempt to resolve the complaint on an informal basis through informal investigatory and conciliation efforts between the complaining individual and the involved County department(s). The Equal Employment Opportunity Officer or his delegate shall have a period not to exceed thirty (30) business days to investigate and to informally attempt to resolve the complaint. (Rev. 03/99)

1820.02 FORMAL INVESTIGATION

If the Equal Employment Opportunity Officer (EEOO) is unable to resolve the complaint through informal conciliation efforts, the EEOO shall notify the complainant, the Director of Personnel, and the impacted County department of this inability in writing. If the EEOO believes there are grounds to proceed, he/she may initiate a formal investigation of the allegations of the complainant, and notify the Union

interview all witnesses to the incident giving rise to the complaint (including the complainant and the person(s) against whom the complaint is directed), and issue written findings as to the merits of the complaint and the remedy that should be implemented to resolve the complaint under existing County ordinances, policies, and procedures. The Equal Employment Opportunity Officer shall have a period of not more than forty-five (45) business days to conduct the investigation and to issue appropriate findings of fact and recommended remedies. (Rev. 03/99)

The complaining person, the affected County department, and the Director of Personnel shall have twenty (20) calendar days to review and either accept or reject the findings and recommendations of the Equal Employment Opportunity Officer.

1820.03 EEO OFFICER FINDINGS AND RECOMMENDATIONS

If the complainant, the impacted County department, the County Administrative Officer, and the Director of Personnel are satisfied with the findings and recommendations of the Equal Employment Opportunity Officer, these findings and recommendations may be implemented informally, and the matter closed. If the findings and recommendations of the Equal Employment Opportunity Officer require some action or order on the part of the Board of Supervisors to be implemented, the Director of Personnel shall forward the findings to the Board of Supervisors and recommend that the Board of Supervisors authorize the action called for therein.

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1830.00 HEARING

If either the complainant or the impacted County department is not satisfied with the findings and recommendations of the Equal Employment Opportunity Officer as a resolution to the complaint, either may file a written request within twenty (20) days of the issuance of the findings and recommendations of the Equal Employment Opportunity Officer for an evidentiary hearing before the Civil Service Commission.
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Rule 1800 DISCRIMINATION APPEALS
This hearing shall be commenced within thirty (30) days of the written request for hearing.
1830.01 The purpose of this hearing is to create an evidentiary record of the basis for the complaint, to permit the examination and cross-examination of all witnesses. under oath, and to permit the Civil Service Commission to make factual findings based on the evidence presented and to order/recommend specific remedies designed to achieve a resolution to the dispute.

1830.02 The hearing shall be conducted as a public hearing, in accordance with the evidentiary standards established by Government Code Section 11513. The Equal Employment Opportunity Officer shall initiate the hearing by presenting. his/her report and recommended findings to the Commission. After the presentation of the Equal Employment Opportunity Officer's report, the complaining person shall present all relevant documentary evidence and witness. testimony that the complainant believes will establish proof of the unlawful discrimination or harassment. At the conclusion of this presentation, the impacted department shall present all relevant documentary evidence or witness testimony, which the department believes to refute or disapprove the complaining person's allegations. All witnesses shall be subject to crossexamination and to examination by the Commission. The complainant has the burden of proof to establish the validity of the complaint. At the conclusion of the hearing and upon the issuance of a written order, findings, and decision, the Civil Service Commission may take such action as is within its jurisdiction under Kern County Code Chapter 3.04 and Board of Supervisors' Resolution 85-094. If the action deemed appropriate is beyond the limited jurisdiction of the Civil Service Commission to implement, the Commission's findings and recommendations shall be forwarded to the Board of Supervisors with the recommendation that the same be adopted as an order of the Board of Supervisors. The order and decision of the Civil Service Commission (or the order of the Board of Supervisors implementing the decision of the Civil Service Commission) shall be final when issued and are subject to the