



## HOW TO FILE AN EEO COMPLAINT

The City and County of San Francisco (City) maintains a neutral process for investigating discrimination, harassment and retaliation complaints from City employees, job applicants, interns, volunteers and contractors. If you believe you have been subjected to conduct of this type, please read this document to learn more about: (1) What is an EEO Complaint; and (2) How to File an EEO Complaint.

### Who Can File an EEO Complaint and What Does DHR EEO Investigate?

The Department of Human Resources Equal Employment Opportunity Division (DHR EEO) only has jurisdiction to investigate complaints of EEO policy violations. An EEO policy violation involves harmful conduct (issue) linked to a protected class (basis). If your complaint is unrelated to an EEO Policy violation – such as government ethic violations, workplace violence, or interpersonal conflict – DHR EEO has no jurisdiction to investigate it. However, other City offices may have jurisdiction over these complaints.

One way to determine if DHR EEO may have jurisdiction to process your complaint is if your alleged experiences fit into the following framework using the table below:

**I believe that I was (insert issue) due to my (insert basis).**

**For example, I believe I was denied a promotion due to my gender (female).**

<b>Who can file a complaint?</b>	Applicants, City Employees, City Interns, Volunteers and Contractors
<b>What common issues does DHR EEO investigate?</b>	Adverse Work Assignments, Unequal Compensation, Disciplinary Action Harassment, Sexual Harassment, Termination Denial of Employment, Promotion, Training, or Reasonable Accommodation
<b>What factors can form the basis of a complaint?</b>	Sex, Gender, Sexual Orientation, Gender Identity, or Gender Expression Race, Color, National Origin, Ethnicity, or Ancestry Age (over 40) Retaliation for certain protected activities* Religion or Creed Disability (Physical or Mental), Medical Condition, Genetic Information Military or Veteran Status Height or Weight Marital or Domestic Partner Status, Parental Status Political Affiliation Association with Someone in One of the Above Protected Classes

\*The City’s EEO Policy prohibits retaliation for: reporting or filing a discrimination complaint; opposing conduct reasonably believed to be discrimination, harassment, or retaliation; assisting in the investigation of a discrimination complaint or lawsuit; and requesting an accommodation for a disability or a religious practice.

Complaints alleging retaliation for other reasons (e.g., for challenging a supervisor’s authority, or for complaining that a co-worker or supervisor was not doing their job) are not within the jurisdiction of the EEO office to investigate.

### When Do I File a Complaint?

Complaints filed through DHR EEO **must be filed within 180 calendar days** of the date of the alleged issue (discriminatory action, harassment, or retaliatory action), or the date the individual should have first become aware of the issue. Therefore, time is an important factor when filing a complaint. If a complaint is not filed within the 180-calendar day deadline, it will be time-barred and DHR EEO will not be able to investigate it.

### How Do I File a Complaint?

There are different ways you can file an EEO complaint. If you want DHR EEO to investigate, you can submit a complaint to DHR EEO through e-mail, phone, U.S. mail, or in person. You can also submit complaints to your home department’s EEO or Human Resources office. Additionally, you may file your complaint externally with the U.S. Equal Employment Opportunity Commission (EEOC), the California Department of Fair Employment and Housing (DFEH), or through your union (if represented).

### What Information Do I Provide When Filing a Complaint?

Your complaint should include the following: your name and the pronoun you use; contact information; your job title and department; the issue and basis for your complaint; dates of the alleged discriminatory, harassing, or retaliatory conduct; and any witnesses to the alleged conduct.

### Ways to File a Complaint with the City

<b>E-mail Complaint</b>	<b>Call the EEO Helpline</b>	<b>Mail Complaint</b>
E-mail complaint to: <a href="mailto:DHR-EEO@sfgov.org">DHR-EEO@sfgov.org</a>	Call the following numbers: (415) 557-4900 (415) 557-4810 (TTY)	Address to: Attention: EEO Division 1 South Van Ness, 4th Floor San Francisco, CA 94103
<b>Walk-In Complaint</b>	<b>Home Department</b>	
Come to DHR EEO Office: 1 South Van Ness, 4th Floor San Francisco, CA 94103  Hours of Operation: Monday to Friday 8:00 am - 5:00 pm	Employees may submit complaints to their home department’s human resources office, which will report the complaint to DHR EEO.	

**Ways to File a Complaint Externally**

<b>Federal Government</b>	<b>State Government</b>	<b>Your Union (if represented)</b>
<p>Link: <a href="https://www.eeoc.gov/">https://www.eeoc.gov/</a></p> <p>Complaints of employment discrimination, harassment, or retaliation can be filed with the U.S. Equal Employment Opportunity Commission (EEOC).</p>	<p>Link: <a href="https://www.dfeh.ca.gov/">https://www.dfeh.ca.gov/</a></p> <p>Complaints of employment discrimination, harassment, or retaliation can be filed with the California Department of Fair Employment and Housing (DFEH).</p>	<p>Employees may elect to file complaints of discrimination, harassment, or retaliation through the grievance process outlined in the applicable MOU. Please note that most MOUs contain an Election-of-Remedy clause, which states that employees must elect to pursue their complaints either through the City’s internal complaint process or through the grievance and arbitration procedures detailed in the MOU. The election generally cannot be changed. Employees should contact their union for more details.</p>

**Mediation**

You may consider addressing your complaint through a mediation process facilitated by trained peer mediators. If you would like to request peer mediation services, please visit <https://sfdhr.org/citywide-peer-mediation-program> for more information. You can also contact the Mediation Program by phone at (415) 557-4988 or e-mail [dhr-peer-mediation-program@sfgov.org](mailto:dhr-peer-mediation-program@sfgov.org).