

**Investigation Complaint Procedure**  
**Side Letter between the Peralta Community College District and**  
**Peralta Federation of Teachers**

This letter is to document the procedure for notifying Respondents named in Equal Employment Opportunity (EEO) complaints who are members of the PFT. It is the intent of the Office of Human Resources and Employee Relations to act in good faith and in fairness in notifying Respondents of the PFT of allegations filed against them – prior to the commencement of an investigation.

Respondents will be sent the attached Respondent's Notification Summary form, completed and executed by the Vice Chancellor for Human Resources & Employee Relations. The summary section of this form will include the following:

- (If appropriate) the name of the Complainant
- Where the incident allegedly occurred
- When the incident allegedly occurred
- What allegedly occurred

Respondents will be informed by the Office of Human Resources and Employee Relations, prior to the investigation, that they have the right to representation. If the investigation findings result in disciplinary action against the Respondent, and the Respondent chooses to exercise their right to appeal, a copy of the investigation report will be provided.

*After ninety (90) days, if the investigation is not concluded, the District will notify the Complainant, Respondent, and the PFT that the investigation is on-going and the District is making every reasonable effort to conclude it. The District will provide a non-binding anticipated timeline for the conclusion of the investigation.*

*The Vice Chancellor of Human Resources and Employee Relations or her/his designee will, where appropriate, make a reasonable effort to engage in informal resolution. It is understood that participation in informal resolution is voluntary by both parties. The determination of what is appropriate for informal resolution rests with the Vice Chancellor of Human Resources and Employee Relations.*

*In agreeing to these provisions, neither faculty nor the PFT waives any rights they have under EERA, the Education Code, or other sources of law, to make any requests for, and receive, relevant and necessary information.*

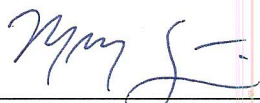
*While the District cannot promise absolute confidentiality, the District will make every reasonable effort to maintain confidentiality*

It is understood that PFT and the employee do not waive any rights to receive a copy of the complaint.



Trudy Largent, Vice Chancellor  
Human Resources & Employee Relations

10/3/2012  
Date



Matthew Goldstein, PFT President

10/5/12  
Date

**PERALTA COMMUNITY COLLEGE DISTRICT  
RESPONDENT'S NOTIFICATION SUMMARY  
Unlawful EEO Complaint**

To: \_\_\_\_\_  
**Name of Respondent**

The Office of Human Resources and Employee Relations has received a formal complaint of allegations naming you as the Respondent. An investigation into the allegations is required by law and will commence promptly. You will be notified by the Office of Human Resources and Employee Relations to schedule an appointment to meet with you for an investigative interview with you.

**Date Complaint Filed:** \_\_\_\_\_

**Complaint based on the following category:**

- |                                |  |  |  |
|--------------------------------|--|--|--|
| <input type="checkbox"/> Age   | <input type="checkbox"/> Ethnic Group Identification | <input type="checkbox"/> Physical Disability | <input type="checkbox"/> Sexual Orientation        |
| <input type="checkbox"/> Race  | <input type="checkbox"/> Mental Disability           | <input type="checkbox"/> Religion            | <input type="checkbox"/> Sex (includes Harassment) |
| <input type="checkbox"/> Color | <input type="checkbox"/> National Origin             | <input type="checkbox"/> Retaliation         | <input type="checkbox"/> Other _____               |

**Summary of Allegations Made by Complainant:** (If during the course of the investigation, additional allegations/discoveries are made, you will be notified in writing and provided a complete summary of the new allegations/discoveries). *A new allegation is defined as: (1) a new or different complainant making a complaint; and/or (2) an allegation unrelated to the initial summary of allegations as cited on the Respondent's Notification Summary Form.*

\_\_\_\_\_

\_\_\_\_\_

You have not been charged with any wrongdoing. After the conclusion of the investigation you will be notified of the findings by mail. If you would prefer the findings not be mailed to your resident address, please make this known and you may personally pick up the letter of findings from the Office of Human Resources and Employee Relations.

While the District cannot promise absolute confidentiality, the District will make every reasonable effort to maintain confidentiality.

Please be reminded that retaliation of any kind against the complaining party constitutes a violation of state and federal laws as well as District Policy.

If this investigation results in a recommendation of discipline, you will be notified of the recommendation and if necessary, provided a full copy of the investigation report.

The respondent will receive a summary of findings, as well as the conclusion and recommendations of the investigation when the investigation is concluded.

In agreeing to these provisions, neither faculty nor the PFT waives any rights they have under EERA, the Education Code, or other sources of law, to make any requests for, and receive, relevant and necessary information.

If you have any questions about the allegations or the process, you can contact me at 510/466-7252.

\_\_\_\_\_  
Trudy Largent, J.D.  
Vice Chancellor for Human Resources & Employee Relations

\_\_\_\_\_  
Date