



## Washington State Office of Civil Legal Aid

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James A. Bamberger, Director  
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To: OCLA Staff

From: Jim Bamberger, Director

Re: Equal Employment Opportunity Policy

Date: October 25, 2016

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### **PURPOSE:**

To promote inclusion, diversity and equity of employment opportunity and to prohibit discrimination against employees and potential employees in all employment situations.

### **POLICY:**

Equity of opportunity, inclusion and diversity are core justice system imperatives. As a state judicial branch agency that underwrites civil legal aid for individuals, families and communities that disproportionately include of persons of color, persons who are disabled, women and sexual minorities and persons who experience other demographic barriers, the Office of Civil Legal Aid (OCLA) embraces the objective of having an inclusive and diverse workforce.

OCLA is committed to the practice of equal employment opportunity and non-discrimination for all persons without regard to race, creed, color, national origin, families with children, sex (including gender identity), marital status, sexual orientation, age, honorably discharged veteran or military status, or the presence of any sensory, mental, or physical disability or the use of a trained dog guide or service animal by a person with a disability, as defined by Revised Code of Washington (RCW) 49.60.

This policy will be implemented in all aspects of employment, including but not limited to recruitment, selection, transfer, promotion, reclassification, training, assignments, employer-supported activities, career development, performance management, non-permanent appointments, and any other term, condition, or benefit of employment.

Employees who feel discriminated against, unfairly treated on the basis of one or more of the above characteristics or who witness acts that violate this policy should immediately report that information to the Director of the Office of Civil Legal Aid. If the action complained of is that of the Director of the Office of Civil Legal Aid, employees may report the complaint to the Chair of the Civil Legal Aid Oversight Committee in the first instance. If the Chair of the Civil Legal Aid Oversight Committee is unavailable, the employee may file the complaint with the Director of Human Resources (HR Director) at the Administrative Office of the Courts (AOC). The AOC

HR Director shall document the complaint in accordance with AOC policies and procedures and forward the same in writing to the Chair of the Civil Legal Aid Oversight Committee for investigation and resolution.

The OCLA Director or, in the case of complaints filed against the Director, the Chair of the Civil Legal Aid Oversight Committee shall undertake a prompt, thorough, and objective investigation of the allegation. OCLA employees are expected to cooperate fully in all phases of the investigation process. The Director or Oversight Committee Chair may, at agency expense, engage a third party to conduct the investigation. When the investigation is completed, the Director or Chair of the Civil Legal Aid Oversight Committee will determine the action to be taken.

If it is determined that prohibited activity has occurred, appropriate remedial action will be taken. Appropriate action will also be taken to deter any future prohibited activity.

OCLA or any third party engaged by OCLA will protect the confidentiality of any discrimination allegations to the extent possible while conducting an investigation. OCLA cannot guarantee complete confidentiality, since a thorough and complete investigation cannot be conducted without revealing certain information to the person alleged to have discriminated and potential witnesses. However, information and records relating to discrimination complaints will be shared on a "need to know" basis.

In addition to the above procedures, employees have the right to file a complaint with the Washington State Human Rights Commission or the federal Equal Employment Opportunity Commission.

**OCLA strongly urges employees to report all incidents of harassment, discrimination or other inappropriate behavior as soon as possible. In order to provide all employees with a professional and productive working environment, these issues must be timely, squarely and safely addressed.**

#### **RETALIATION:**

OCLA strictly prohibits retaliation against any person by another employee or by OCLA for using this complaint procedure, reporting discrimination, threatening to report discrimination, or for filing, testifying, assisting, or participating in any manner in any investigation, proceeding, or hearing conducted by a governmental enforcement agency. Prohibited retaliation includes, but is not limited to, termination, demotion, suspension, failure to hire or consider for hire, failure to give equal consideration in making employment decisions, failure to make employment recommendations impartially, adversely affecting working conditions, or otherwise denying any employment benefits. Any employee who engages in retaliation as described above will be subject to disciplinary action, up to and including termination.

#### **CONSEQUENCES:**

Any person who is found to have engaged in discrimination as described in this policy is subject to disciplinary action up to and including termination.

**EXTERNAL NOTIFICATION:**

The Equal Employment and Anti-Discrimination Policy shall be published externally by incorporating an equal employment statement in all purchase orders, contracts, and advertising as follows:

THE OFFICE OF CIVIL LEGAL AID IS AN EQUAL OPPORTUNITY EMPLOYER.

For position recruitment advertising:

THE OFFICE OF CIVIL LEGAL AID IS COMMITTED TO EQUITY AND INCLUSION IN HIRING AND EMPLOYMENT PRACTICES AND COMPLIANCE WITH FEDERAL AND STATE EQUAL EMPLOYMENT OPPORTUNITY AND NON-DISCRIMINATION LAWS. OCLA WILL NOT DISCRIMINATE AGAINST ANY PERSON ON THE BASIS OF RACE, CREED, COLOR, NATIONAL ORIGIN, FAMILIES WITH CHILDREN, SEX (INCLUDING GENDER IDENTITY), MARITAL STATUS, SEXUAL ORIENTATION, AGE, HONORABLY DISCHARGED VETERAN OR MILITARY STATUS, OR THE PRESENCE OF ANY SENSORY, MENTAL, OR PHYSICAL DISABILITY, OR THE USE OF A TRAINED DOG GUIDE OR SERVICE ANIMAL BY A PERSON WITH A DISABILITY.

**INTERNAL NOTIFICATION:**

The Equal Employment Opportunity and Anti-Discrimination Policy can be accessed electronically on the OCLA website at [www.ocla.wa.gov/about-us](http://www.ocla.wa.gov/about-us). The policy will be explained to new and current OCLA employees via new employee orientation and scheduled training.