



How do I know if I can file a Complaint?

EEO Compliance & Diversity Management Division

Unsure if you have an EEO-related complaint? Read the FAQs below or feel free to contact our division for an inquiry. We are here for your questions and concerns so that we may better guide you.

Are only County employees allowed to file a complaint?	Whether you are a County employee or not, you may file a complaint if your allegations are against a County employee or agency.
Can I file a complaint against someone who isn't a County employee?	Yes, you may file a complaint against a non-employee if they engaged in discriminatory conduct against you while you were performing your job functions or functions on behalf of the County. This would include a complaint against a vendor, contractor, intern or the public seeking good and services from the County.
What type of complaint does the Montgomery County EEO Division handle?	<p>The EEO Division only handles complaints of discrimination based on a protected class or bases as covered by Federal, State and local discrimination laws.</p> <p>The allegation must also involve an employee performing their official County functions or have a nexus to their job function or must involve a County agency. Non-employees may also be a party to a complaint if it involves a County employee or agency, and allegations of discrimination, as a Complainant or Respondent.</p>
What is a basis or protected class?	<p>Our Division covers all protected classes covered by Federal and State law, as well as Montgomery County Personnel Regulation Section 5 including:</p> <ul style="list-style-type: none">• race• color• national origin• religion• sex• retaliation (for EEO-protected activity)• age• disability• sexual orientation• gender identity• marital status• family responsibility• genetic status• also covers the pregnancy discrimination act and lactation request.



<p>What is a basis or protected class?</p>	<p>As our Division covers all of the protected classes cover by Federal and State law, as well as Montgomery County Personnel Regulation Section 5, it would include race, color, national origin, religions, sex, retaliation (for EEO-protected activity), age, disability, sexual orientation, gender identity, marital status, family responsibility, genetic/genetic status, and also cover the pregnancy discrimination act and lactation request.</p>
<p>How do I know if I have an EEO complaint?</p>	<p>In order to file with our Division, you must first establish a prima facie case of discrimination, or workplace harassment based a protected class. See below:</p> <ul style="list-style-type: none">• See the standard for a prima facia case of discrimination.• The employee is in a protected class (based on race, gender, and so on).• The employee was qualified for the position. For example, an applicant who wasn't hired would have to show that he met the requirements for the job; an employee who was fired would have to show that she was performing the job adequately and meeting the employer's expectations. The employee was rejected for the position -- in other words, the applicants was not hired, or the employee was not promoted or was fired.• An employee outside of the protected class was selected for the position, or the employer continued to look for candidates. For example, an employee who claims she was not promoted because she was a woman could show that a man was promoted instead, or that the company continued to look for internal candidates after rejecting her.• For religious discrimination:<ul style="list-style-type: none">○ Title VII of the Civil Rights Act of 1964 prohibits any form of religious discrimination as outlined above. The federal law recognizes two separate means of religious discrimination; discrimination by failure to accommodate religious beliefs, and discrimination by separate treatment.• Harassment or hostile work environment:<ul style="list-style-type: none">○ Unwelcome sexual advances, requests for sexual favors, and other verbal, visual or physical conduct of a sexual nature when submission to or rejection of:• Such conduct by an individual is used as a basis for employment decisions affecting such individual; or• Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment; or• Such conduct is made either explicitly or implicitly a term or condition of an individual's employment;



Office of *Human* Resources

What if my complaint is a labor issue?

You should contact your supervisor, manager or anyone else in the chain of command. You may also contact your union representation, if you are a member or the Montgomery County Office of Labor Relations.