

12-053

Ms. Marion Radson, Esq.
City Attorney
CITY OF GAINESVILLE
P. O. Box 1110
Gainesville, FL 32602

PERSON FILING CHARGE

Thomas J. Bastien

THIS PERSON (check one or both)

Claims To Be Aggrieved

Is Filing on Behalf of Other(s)

EEOC CHARGE NO.

510-2008-04433

NOTICE OF CHARGE OF DISCRIMINATION

(See the enclosed for additional information)

This is notice that a charge of employment discrimination has been filed against your organization under:

Title VII of the Civil Rights Act

The Americans with Disabilities Act

The Age Discrimination in Employment Act

The Equal Pay Act

Received

SEP 2 2008

EEOC Miami District Office

The boxes checked below apply to our handling of this charge:

1.

No action is required by you at this time.

2.

Please call the EEOC Representative listed below concerning the further handling of this charge.

3.

Please provide by **15-SEP-08** a statement of your position on the issues covered by this charge, with copies of any supporting documentation to the EEOC Representative listed below. Your response will be placed in the file and considered as we investigate the charge. A prompt response to this request will make it easier to conclude our investigation.

4.

Please respond fully by **15-SEP-08** to the enclosed request for information and send your response to the EEOC Representative listed below. Your response will be placed in the file and considered as we investigate the charge. A prompt response to this request will make it easier to conclude our investigation.

5.

EEOC has a Mediation program that gives parties an opportunity to resolve the issues of a charge without extensive investigation or expenditure of resources. If you would like to participate, please say so on the enclosed form and respond by to

If you DO NOT wish to try Mediation, you must respond to any request(s) made above by the date(s) specified there.

For further inquiry on this matter, please use the charge number shown above. Your position statement, your response to our request for information or any inquiry you may have should be directed to:

Juan Gonzalez,
Enforcement Supervisor

EEOC Representative

Telephone (305) 808-1762

Miami District Office
2 South Biscayne Blvd
Suite 2700
Miami, FL 33131

Enclosure(s): Copy of Charge

CIRCUMSTANCES OF ALLEGED DISCRIMINATION

RACE

COLOR

SEX

RELIGION

NATIONAL ORIGIN

AGE

DISABILITY

RETALIATION

OTHER

See enclosed copy of charge of discrimination.

Date

August 15, 2008

Name / Title of Authorized Official

Manuel Zurita,
Acting Director

Signature



**U.S. Equal Employment Opportunity Commission
Miami District Office**

2 South Biscayne Blvd
Suite 2700
Miami, FL 33131
(305) 808-1851
TTY (305) 808-1742
FAX (305) 808-1855

Charging Party: Thomas J. Bastien
EEOC Charge No.: 510-2008-04433

Ms. Marion Radson, Esq.
City Attorney
CITY OF GAINESVILLE
P. O. Box 1110
Gainesville, FL 32602

Dear Ms. Radson:

Your organization is hereby requested to submit information and records relevant to the subject charge of discrimination. The Commission is required by law to investigate charges filed with it, and the enclosed request for information does not necessarily represent the entire body of evidence which we need to obtain from your organization in order that a proper determination as to merits of the charge can be made. Please submit a response to the requested information by the deadline.

The information will only be disclosed in accordance with 29 C.F.R. 1601.22, or otherwise made public if the charge results in litigation.

Sincerely,

Juan Gonzalez
Enforcement Supervisor

The following dates are considered to be the "relevant period" for the attached Request for Information:
July 1, 2007 - July 31, 2008

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

REQUEST FOR INFORMATION

Charging Party: Thomas J. Bastien
Respondent: CITY OF GAINESVILLE
EEOC Charge No.: 510-2008-04433

1. Give the correct name and address of the facility named in the charge.
2. State the total number of persons who were employed by your organization during the relevant period. Include both full and part-time employees. How many employees are employed by your organization at the present time?
3. Supply an organizational chart, statement, or documents which describe your structure, indicating, if any, the relationship between it and superior and subordinate establishments within the organization.
4. Supply a statement or documents which identify the principal product or service of the named facility.
5. State the legal status of your organization, i.e., corporation, partnership, tax-exempt non-profit, etc. If incorporated, identify the state of incorporation.
6. State whether your organization has a contract with any agency of the federal government or is a subcontractor on a project which receives federal funding. Is your organization covered by the provisions of Executive Order 11246? If your answer is yes, has your organization been the subject of a compliance review by the OFCCP at any time during the past two years?
7. Submit a written position statement on each of the allegations of the charge, accompanied by documentary evidence and/or written statements, where appropriate. Also include any additional information and explanation you deem relevant to the charge.
8. Submit copies of all written rules, policies and procedures relating to the issue(s) raised in the charge. If such does not exist in written form, explain the rules, policies and procedures.

Issue: DISCHARGE

1. If the charging party was discharged, submit the following:
 - a. date of discharge,
 - b. reason for discharge,
 - c. statement of whether the charging party had any right of appeal, and whether the charging party made use of any appeal rights
 - d. person recommending the discharge, including name, position held,
 - e. person making final decision to discharge the charging party, including name, position held. Attach copy of any evaluation or investigation report relating to the discharge, and
 - f. copies of all pertinent documents in the charging party's personnel file relating to the subject discharge.
2. Explain your discharge procedures in effect at the time of the alleged violation. If the procedures are in writing, submit a copy.
3. Submit copies of all written rules relating to employee duties and conduct. Explain how employees learn the contents and rules.
4. List all employees who committed the same or substantially similar offense(s) that the charging party committed and the disciplinary action taken against them. Supply backup documentation for the list. Include name, position title.
5. List all the employees discharged within the relevant period. For each employee, include employees name, position title, reason for and date of discharge, and a copy of the separation notice.