



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION  
Washington, D.C. 20507

JUN 06 2017

Office of the Chief Financial Officer

Fort Worth Human Relations Commission  
Angela Rush, Human Relations Administrator  
1000 Throckmorton St.  
Fort Worth, Texas 76102

**Subject: Contract No. EEC45016C0080P00002**

Dear Ms. Rush:

Enclosed is a copy of the Standard Form (SF) 30 of the entire contract modification and all attachments.

**In order to expedite the execution of this contract, please return two (2) signed copies of the SF 30, Page 1, only within ten (10) days from receipt of this letter to the following address:**

Equal Employment Opportunity Commission  
Acquisition Services Division  
131 M Street, N.E., 4<sup>th</sup> Floor  
Washington, D.C. 20507  
**Attn: Caroline Fowler, Contracting Officer**

It is essential that you adhere to the timely submission of the fully executed copies of the signed SF 30. Any request for extension should be made via telephone or in writing. Facsimile requests are acceptable. Our facsimile telephone number is (202) 663-4178.

The single contract document with all attachments is for your records.

Upon execution by the Government, one (1) fully executed copy of the contract will be returned to you for your file.

If you have any questions, please call me on (202) 663-4219.

Sincerely,

  
Caroline Fowler, Contracting Officer  
Acquisition Services Division

Enclosure(s)

<b>AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT</b>				1. CONTRACT ID CODE		PAGE OF PAGES 1 2	
2. AMENDMENT/MODIFICATION NO EEC45016C0080P00002		3. EFFECTIVE DATE 10/01/2016		4. REQUISITION/PURCHASE REQ. NO. See Schedule		5. PROJECT NO (If applicable)	
6. ISSUED BY EEOC OCFD ASD 131 M Street, N.E., 4th Floor Washington, DC 20507		CODE 453100		7. ADMINISTERED BY (If other than Item 6) EEOC Dallas District Office 207 S. Houston Street Dallas, TX 75202-4726		CODE EE450	
8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)  FORT WORTH, CITY OF FORT WORTH HUMAN RELATIONS COMMISSION 1000 THROCKMORTON FORT WORTH, TX 76102-6312				(X)		9A. AMENDMENT OF SOLICITATION NO.	
				I		9B. DATED (SEE ITEM 11)	
				I		10A. MODIFICATION OF CONTRACT/ORDER NO. EEC45016C0080	
				X		10B. DATED (SEE ITEM 13)	
				I			
CODE LOC824614754		FACILITY CODE					
<b>11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS</b>							
<input type="checkbox"/> The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers <input type="checkbox"/> is extended, <input type="checkbox"/> is not extended. Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods: (a) By completing items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment your desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.							
12. ACCOUNTING AND APPROPRIATION DATA (If required) See Schedule							
<b>13. THIS ITEM ONLY APPLIES TO MODIFICATION OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.</b>							
CHECK ONE	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.						
<input type="checkbox"/>	B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).						
<input type="checkbox"/>	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:						
<input checked="" type="checkbox"/>	D. OTHER (Specify type of modification and authority) Section I, 52.217-9 Option to Extend the Term of the Contract.						
<b>E. IMPORTANT:</b> Contractor <input type="checkbox"/> is not, <input checked="" type="checkbox"/> is required to sign this document and return <u>2</u> copies to the issuing office.							
14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)							
MODIFICATION CONTROL NUMBER EEC45016C0080P00002							
SUMMARY OF CHANGES EXERCISE OPTION YEAR 1							
PURSUANT TO SECTION I, 52.217-9 ENTITLED "OPTION TO EXTEND THE TERM OF THE CONTRACT", THE GOVERNMENT HEREBY EXERCISES OPTION YEAR 1 TO EXTEND CONTRACT PERFORMANCE FOR A PERIOD OF TWELVE (12) MONTHS COMMENCING ON OCTOBER 1, 2016 THROUGH SEPTEMBER 30, 2017. (SEE ATTACHMENT NO. 1 FOR DETAILS)							
Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.							
15A. NAME AND TITLE OF SIGNER (Type or print)				16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)			
				Fowler, Caroline A Contracting Officer			
15B. CONTRACTOR/OFFEROR		15C. DATE SIGNED		16B. UNITED STATES OF AMERICA		16C. DATE SIGNED	
(Signature of person authorized to sign)				(Signature of Contracting Officer)			
NSN 7540-01-152-8070 Previous edition unusable				STANDARD FORM 30 (REV. 10-83) Prescribed by GSA FAR (48 CFR) 53.243			

## Summary of Changes

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### Modification Changes

Effective as of the date of this Modification No. EEC45016C0080 is revised as follows:

1. Line Number 0005: OPTION YEAR 1 - Title VII, ADEA, ADA, AND GINA CHARGE RESOLUTIONS:  
Action: Each Charge must have been filed since October 1, 2012, (or since October 1, 2011, for each charge where a determination of reasonable cause is issued and the charge is processed through hearings and/or litigation) and resolved in accordance with a charge resolution plan if applicable.  
Period of Performance: 10/01/2016 ~ 09/30/2017  
Unit of Measure and Quantity: 107 ea  
Unit Price: \$700.00  
Contract Type: Firm Fixed Price  
Charge Account: 2017|0100B1717D|10SLPPS|FPSLP|NA|251010|999996|9999|SLCR|NA|NA|NA  
Funded Value: \$74,900.00
2. Line Number 0006: OPTION YEAR 1 - Title VII, ADEA, ADA, AND GINA INTAKE SERVICES  
Action: Provide Intake Services for charges, with affidavits, filed during the period October 1, 2016 to September 30, 2017. Period of Performance: 10/01/2016 ~ 09/30/2017  
Unit of Measure and Quantity: 55 ea  
Unit Price: \$70.00  
Charge Account: 2017|0100B1717D|10SLPPS|FPSLP|NA|251010|999996|9999|SLINTK|NA|NA|NA  
Funded Value: \$3,850.00
3. Line Number 0007: OPTION YEAR 1 - FY 2017 EEOC/FEPA TRAINING CONFERENCE:  
Action: Training to facilitate successful completion of contract, which must include attendance at EEOC – Sponsored Annual Conference.  
Period of Performance: 10/01/2016 ~ 09/30/2017  
Unit of Measure and Quantity: 1 ea  
Unit Price: \$1,500.00  
Charge Account: 2017|0100B1717D|10SLPPS|FPSLP|NA|251010|999996|9999|SLTRNG|NA|NA|NA  
Funded Value: \$1,500.00
4. Line Number 0008: OPTION YEAR 1 - FY 2017 FEPA ENGAGEMENT FUNDING:  
Action: Submission of an acceptable written proposal detailing a joint EEOC/FEPA enforcement, outreach, or training activity in support of a Strategic Enforcement Plan or District Complement Plan.  
Period of Performance: 10/01/2016 ~ 09/30/2017  
Unit of Measure and Quantity: 1 ea  
Unit Price: \$1,000.00  
Charge Account: 2017|0100B1717D|10SLPPS|FPSLP|NA|251010|999996|9999|SLJOUT|NA|NA|NA  
Funded Value: \$1,000.00

Reference Requisition No.: FP170091

5. As a result of this modification, the grand total for the contract is increased by \$81,250 from \$73,900.00 to \$155,150.
6. Except as stated above, all other terms and conditions remain unchanged.

In addition, listed below are the revised Sections of the contract:

Section C – **DESCRIPTIONS AND SPECIFICATIONS**

Section II, Paragraph B of the Statement of Work – The last sentence is revised to read as follows:

From: Upon execution, the Worksharing Agreement dated **10/27/2015**, is incorporated by reference into this contract.

To: Upon execution, the Worksharing Agreement dated **11/12/2016**, is incorporated by reference into this contract.

Section II, Paragraph E of the Statement of Work is revised to read as follows:

From: It is understood and expressly agreed to by both parties to this contract that all provisions of the EEOC's Contracting Principles for State and Local FEPA for Fiscal Year **2016** are incorporated in their entirety into this contract.

To: It is understood and expressly agreed to by both parties to this contract that all provisions of the EEOC's Contracting Principles for State and Local FEPA for Fiscal Year **2017** are incorporated in their entirety into this contract.

Section III, Paragraph B of the Statement of Work is revised to read as follows:

From: All charges submitted for credit under this contract shall be completed by the Contractor between **October 1, 2015** and **September 30, 2016** as follows:

To: All charges submitted for credit under this contract shall be completed by the Contractor between **October 1, 2016** and **September 30, 2017** as follows:

Section F - **DELIVERIES OR PERFORMANCE**

**F.1 PERIOD OF PERFORMANCE**

Paragraph F.1 A is revised to read as follows:

From: A. The period of performance under this contract shall be from **October 1, 2015** through **September 30, 2016**, with two one-year options to extend the term of the contract. (See Section I, 52.217-9 "Option to Extend the Term of the Contract").

To: A. The period of performance under this contract shall be from **October 1, 2016** through **September 30, 2017**.

**F.2 TIME OF DELIVERY/DELIVERABLES**

F.2.A.1 – The last sentence is revised to read as follows:

From: A determination not to award contract credit made may be reversed under the procedures set forth in Section III.B.5.a. of the **FY 2016** Contracting Principles.

To: A determination not to award contract credit made may be reversed under the procedures set forth in Section III.B.5.a. of the **FY 2017** Contracting Principles.

Paragraph F.2.A 2 is revised to read as follows:

From: Enter basic charge data into the IMS or successor system within five business days of the Contractor's receipt of each charge as set forth in Section III.B.5.a of the **FY 2016** Contracting Principles in order to be eligible to receive contract credit.

To: Enter basic charge data into the IMS or successor system within five business days of the Contractor's receipt of each charge as set forth in Section III.B.5.a of the **FY 2017** Contracting Principles in order to be eligible to receive contract credit.

Paragraph F.2.A.3 is revised to read as follows:

From: Provide EEOC with a list of final actions within a time frame agreed upon by the COR and the Contractor, but usually no later than 30 calendar days after the resolution of each charge to meet the requirement of Section III. B.2 of the **FY 2016** Contracting Principles. The Contractor must ensure the timely and accurate entry of data into the IMS or successor system. The COR will generate charge data lists and reports through the IMS or successor system to verify that this requirement is being met throughout the term of this contract.

To: Provide EEOC with a list of final actions within a time frame agreed upon by the COR and the Contractor, but usually no later than 30 calendar days after the resolution of each charge to meet the requirement of Section III. B.2 of the **FY 2017** Contracting Principles. The Contractor must ensure the timely and accurate entry of data into the IMS or successor system. The COR will generate charge data lists and reports through the IMS or successor system to verify that this requirement is being met throughout the term of this contract.

Paragraph F.2.B.4 is revised to read as follows:

From: The Contractor must make timely and accurate submission to the EEOC of EEOC Form 322 and EEOC Form 472. All reports covering the first three quarters of the **FY 2016** contract must be received by the EEOC prior to September 30, 2016.

To: The Contractor must make timely and accurate submission to the EEOC of EEOC Form 322 and EEOC Form 472. All reports covering the first three quarters of the FY 2017 contract must be received by the EEOC prior to September 30, 2017.

Paragraph F.2.C is incorporated as follows:

**C. Proposal for FY 2017 FEPA Engagement**

From: The Contractor must submit to the Contracting Officer Representative prior to **September 30, 2016**, a written proposal detailing a joint enforcement, joint outreach or joint training activity with the EEOC District Office which (1) identifies and supports a specific priority contained in either EEOC's Strategic Enforcement Plan or the District Office's Complement Plan, (2) contains sufficient details and a certification that the FEPA is willing and able to perform the actions it proposes to perform, and (3) which the EEOC finds to be feasible and acceptable.

To: The Contractor must submit to the Contracting Officer Representative prior to **September 30, 2017**, a written proposal detailing a joint enforcement, joint outreach or joint training activity with the EEOC District Office which (1) identifies and supports a specific priority contained in either EEOC's Strategic Enforcement Plan or the District Office's Complement Plan, (2) contains sufficient details and a certification that the FEPA is willing and able to perform the actions it proposed to perform, and (3) which the EEOC finds to be feasible and acceptable.

**Section G – CONTRACT ADMINISTRATION DATA**

Replace Section G.1 with the following:

**G.1 CONTRACT ADMINISTRATION DATA**

A. Contracting Officer: See Block 20A of SF 26

B. Inspection and Acceptance: See Section E of the Schedule

C. Accounting and Appropriation Data: See Accounting Line Accounting and Appropriations Data

**D. Contracting Officer's Representative: Jaime Valdez, State and Local  
Program Manager  
Dallas District Office  
Telephone: (210) 281-7661**

E. Paying Office: See Block 12 of SF-26

F. Program Director: Michael J. Dougherty, Director  
 State and Local Programs  
 Office of Field Programs  
 131 M Street, N.E., Fifth Floor  
 Washington, DC 20507  
 Telephone: (202) 663-4801

## G.5 PAYMENT SCHEDULE

Paragraph G.5 is revised to read as follows:

From: Upon contract execution, an advance payment invoice not to exceed fifty (50) percent of the **number of charge resolutions stated in the contract**, submitted by the Contractor. Subsequent payments will be based on the Contractor's actual production of accepted charge resolutions. The contractor can submit invoices for actual production on a quarterly basis (**April 11, July 11, and October 11, 2016**). No payment will be made until the contract and subsequent modifications, if any, are returned, properly executed, to the Equal Employment Opportunity Commission, Acquisition Services Division, 131 M Street, N.E., 4<sup>th</sup> Floor, Washington, D.C. 20507.

To: Upon contract execution, an advance payment invoice not to exceed fifty (50) percent of the **number of charge resolutions stated in the contract**, submitted by the Contractor. Subsequent payments will be based on the Contractor's actual production of accepted charge resolutions. The contractor can submit invoices for actual production on a quarterly basis. No payment will be made until the contract and subsequent modifications, if any, are returned, properly executed, to the Equal Employment Opportunity Commission, Acquisition Services Division, 131 M Street, N.E., 4<sup>th</sup> Floor, Washington, D.C. 20507.

## Section H – SPECIAL CONTRACT REQUIREMENTS

Paragraph H.1.A.4 is revised to read as follows:

From: Pursuant to Paragraph 5(b) of the EEOC Memorandum of Understanding with the Office of Federal Contract Compliance Programs (OFCCP), information compiled by OFCCP and provided to the EEOC may be provided to an FEP Agency (i.e. the Contractor) upon its request. It is further understood and agreed that the Contractor will not disclose to the public any such information without first requesting and obtaining the express written approval of the Director of OFCCP.

To: Pursuant to Paragraph 4(b) of the EEOC Memorandum of Understanding with the Office of Federal Contract Compliance Programs (OFCCP), information compiled by OFCCP and provided to the EEOC may be provided to an FEP Agency (i.e. the Contractor) upon its request. It is further understood and agreed

that the Contractor will not disclose to the public any such information without first requesting and obtaining the express written approval of the Director of OFCCP.

Paragraph H.10 is incorporated as follows:

**H.10 FEPA ENGAGEMENT FUNDING**

**From:** To be eligible to invoice for the funding, in the amount of \$1,000, the Contractor must submit to the Contracting Officer Representative prior to **September 30, 2016**, a written proposal detailing a joint enforcement, joint outreach or joint training activity with the EEOC District Office which (1) identifies and supports a specific priority contained in either EEOC's Strategic Enforcement Plan or the District Office's Complement Plan, (2) contains sufficient details and a certification that the FEPA is willing and able to perform the actions it proposes to perform, and (3) which the EEOC finds to be feasible and acceptable.

**To:** To be eligible to invoice for the funding, in the amount of \$1,000, the Contractor must submit to the Contracting Officer Representative prior to **September 30, 2017**, a written proposal detailing a joint enforcement, joint outreach or joint training activity with the EEOC District Office which (1) identifies and supports a specific priority contained in either EEOC's Strategic Enforcement Plan or the District Office's Complement Plan, (2) contains sufficient details and a certification that the FEPA is willing and able to perform the actions it proposes to perform, and (3) which the EEOC finds to be feasible and acceptable.

Section J – **LIST OF ATTACHMENTS**

Section J is revised to incorporate Attachments C and D as follows:

**From: Attachment C** - Federal Register Notice, Dated April 26, 2006 and July 30, 2002

**To: Attachment C** - Federal Register Notice, Dated November 17, 2016

**Attachment D - Worksharing Agreement for FY 2017 - 1 Page**

## FY 2017 EXTENSION OF WORKSHARING AGREEMENT

Inasmuch as there have been no substantive changes in the processes, procedures, statutes, policies or regulations that would adversely affect or substantially alter the work sharing arrangement between the EEOC's Dallas District Office and the City of Fort Worth, Human Relations Commission, or that would affect the processing of charges filed under the pertinent Federal, state or local statutes, the parties agree to extend the current work sharing agreement that was executed on November 12, 2015 through the FY 2017 Charge Resolution Contract Option Period, from October 1, 2016 through September 30, 2017. The agencies agree to work together in furtherance of the provisions of EEOC's 2012-2016 Strategic Plan and the 2013 FEPA Engagement Plan, when assessing the allocation of charges under this agreement and to cooperate in compliance and enforcement efforts as well as training, outreach and technical assistance efforts encompassed by the Plans. By executing this extension, the parties agree to abide by the confidentiality provisions of GINA as well as the other statutes cited in the agreement. This agreement, as well as the attendant Worksharing Agreement may be reopened and amended by mutual consent of the parties.

Angela Rush  
Angela Rush, Human Relations Administrator

10/3/2016  
Date

Shirley Richardson  
Shirley Richardson, District Director

OCT 17 2016  
Date

For the Commission.  
Jenny R. Yang,  
Chair.

## EEOC Systems of Records

### Universal Routine Uses.

EEOC-1 Age Discrimination in Employment Act, Equal Pay Act, and Section 304 of the Government Employees Rights Act Discrimination Case Files.

EEOC-2 Attorney Referral List.

EEOC-3 Title VII, Americans with Disabilities Act, and Genetic Information Nondiscrimination Act

EEOC-4 Biographical Files.

EEOC-5 Correspondence and Communications.

EEOC-6 Freedom of Information Act and Privacy Act Records

EEOC-7 Employee Pay and Leave Records.

EEOC-8 Employee Travel and Reimbursement Records.

EEOC-9 Claims Collection Records.

EEOC-10 Grievance Records.

EEOC-11 Adverse Actions Against Nonpreference Eligibles in the Excepted Service Records

EEOC-12 Telephone Call Detail Records.

EEOC-13 Employee Identification Cards.

EEOC-14 Reserved

EEOC-15 Internal Harassment Investigation Files.

EEOC-16 Office of Inspector General Investigative Files.

EEOC-17 Defensive Litigation Files.

EEOC-18 Reasonable

Accommodation Records.

EEOC-19 Revolving Fund Registrations.

EEOC-20 RESOLVE Program Records.

EEOC-21 Emergency Management Records.

EEOC-22 EEOC Personnel Security Records.

EEOC/GOVT-1 Equal Employment Opportunity in the Federal Government Complaint and Appeal Records.

*Universal Routine Uses:* The following routine uses of the records apply to and are incorporated by reference into each system of records published below:

a. To appropriate agencies, entities, and persons when: (1) EEOC suspects or has confirmed that there has been a breach of the system of records; (2) EEOC has determined that as a result of the suspected or confirmed breach there is a risk of harm to individuals, the agency (including its information systems, programs, and operations), or the Federal government; and (3) the disclosure made to such agencies, entities, and persons is reasonably

necessary to assist in connection with EEOC's efforts to respond to the suspected or confirmed breach or to prevent, minimize, or remedy such harm.

b. To another Federal agency or Federal entity when information from this system of records is reasonably necessary to assist the recipient agency or entity in (1) responding to a suspected or confirmed breach or (2) preventing, minimizing, or remedying the risk of harm to individuals, the agency (including its information systems, programs, and operations), or the Federal government.

## EEOC-1

### SYSTEM NAME:

Age Discrimination in Employment Act, Equal Pay Act, and Section 304 of the Government Employees Rights Act Discrimination Case Files.

### SYSTEM LOCATION:

Field Office where the charge or complaint of discrimination was filed (see Appendix A). Records of complaints filed under section 321 of the Government Employees Rights Act of 1991 are located in the Office of Federal Operations 131 M Street NE., Washington, DC 20507, after a hearing has been requested.

### CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Persons other than federal employees and applicants who file charges or complaints with EEOC alleging that an employer, employment agency or labor organization has violated the Age Discrimination in Employment Act of 1967 or the Equal Pay Act of 1963, or who file complaints under section 304 of the Government Employees Rights Act of 1991.

### CATEGORIES OF RECORDS IN THE SYSTEM:

This system contains the records compiled during the investigation of age and equal pay discrimination cases and during the investigation and hearing of complaints filed under section 304 of the Government Employees Rights Act of 1991. These records include:

a. Documents submitted by charging party or complainant such as charge of discrimination, personal interview statement, and correspondence.

b. Documents submitted by employer such as statement of position, correspondence, statements of witnesses, documentary evidence such as personnel files, records of earnings, employee benefit plans, seniority list, job titles and descriptions, applicant data, organizational charts, collective

bargaining agreements, and petitions to revoke or modify subpoenas.

c. Records gathered and generated by EEOC in the course of its investigation and, in complaints filed under section 304 of the Government Employees Rights Act of 1991, during the hearing, such as letters of referral to state fair employment practices agencies, correspondence with state fair employment practices agencies, witness statements, investigator's notes, investigative plan, report of initial and exit interview, investigator's analyses of evidence and charge, subpoenas, decisions and letters of determination, conciliation agreements, correspondence and any additional evidence gathered during the course of the investigation.

### AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 301; 29 U.S.C. 209, 211, 623, 626; 42 U.S.C. 2000e-16c; 44 U.S.C. 3101; 2 U.S.C. 1220.

### PURPOSE:

This system is maintained for the purpose of enforcing the prohibitions against employment discrimination contained in the Age Discrimination in Employment Act, the Equal Pay Act and section 304 of the Government Employees Rights Act of 1991.

### ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

These records and information in these records may be used:

a. To disclose pertinent information to a federal, state, or local agency or third party as may be appropriate or necessary to perform the Commission's functions under the Age Discrimination in Employment Act, Equal Pay Act, or section 304 of the Government Employees Rights Act of 1991.

b. To disclose information contained in these records to state and local agencies administering state or local fair employment practices laws.

c. To disclose non-confidential and non-privileged information from closed ADEA/EPA case files (a file is closed when the Commission has terminated its investigation and has decided not to sue) to the employer where a lawsuit has been filed against the employer involving that information, to other employees of the same employer who have been notified by the Commission of their right under 29 U.S.C. 216 to file a lawsuit on their own behalf, and their representatives.

d. To provide information to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of a party to the charge.

e. To disclose pertinent information to the appropriate federal, state, or local agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order, where the EEOC becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation.

f. To disclose information to another federal agency, to a court, or to a party in litigation before a court or in an administrative proceeding being conducted by a federal agency when the government is a party to the judicial or administrative proceeding.

g. To disclose information to officials of state or local bar associations or disciplinary boards or committees when they are investigating complaints against attorneys in connection with their representation of a party before EEOC.

h. To disclose to a Federal agency in the executive, legislative, or judicial branch of government, in response to its request for information in connection with the hiring of an employee, the issuance of a security clearance, the conducting of a security or suitability investigation of an individual, the classifying of jobs, or the lawful statutory, administrative, or investigative purpose of the agency to the extent that the information is relevant and necessary to the requesting agency's decision.

i. To disclose information to other federal agencies in accordance with Memoranda of Understanding or similar agreements between EEOC and other agencies that provide for coordination, cooperation, and confidentiality of documents in EEOC's employment discrimination enforcement efforts.

#### POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

##### STORAGE:

These records are maintained in file folders and electronically.

##### RETRIEVABILITY:

These records are retrievable by charging party name, employer name, and charge number.

##### SAFEGUARDS:

Paper records are maintained in a secured area to which only authorized personnel have access. Access to and use of these records is limited to those persons whose official duties require such access. The premises are locked when authorized personnel are not on duty. Access to electronic records is limited, through use of usernames and passwords, to those whose official duties require access.

#### RETENTION AND DISPOSAL:

All private sector charge files not designated for permanent retention will be retained for three years following the fiscal year in which they were closed. (For example, if a charge was closed on March 31, 2014, in FY 2014, the three-year retention period would begin on October 1, 2014, which is the first day of FY 2015.) These non-permanent files will be retained for one year in the EEOC field office where the charge of discrimination was filed. Afterwards, the non-permanent files will be transferred to the Federal Records Center (FRC). The FRC will destroy the files after the three-year retention period is met. Permanent files will be retained in the field office for three years and then transferred to FRC. FRC will transfer the files to the National Archives and Records Administration (NARA) for permanent retention when eligible.

Closed non-permanent private sector charge files that are the subject of Freedom of Information Act (FOIA) requests are retained for six years after the FOIA response is provided. The files will be transferred to FRC one year after completion of all actions taken under FOIA/Privacy Act. Alternatively, the files may be included as part of the permanent files retained by the EEOC field office.

Closed private sector charge files that are the subject of a Section 83 request are retained for six years after the Section 83 response is provided. The files will be transferred to FRC one year after completion of all actions taken under FOIA. Alternatively, the files may be included as part of the permanent files retained by the EEOC field office.

#### SYSTEM MANAGER(S) AND ADDRESS:

Director of the office in the field where the charge was filed (see Appendix A). Director of the Office of Field Programs, 131 M Street NE., Washington, DC 20507. Director of the Office of Federal Operations, 131 M Street NE., Washington, DC 20507 (only for complaints filed under section 321 of the Government Employees Right Act of 1991).

#### SYSTEM EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

This system is exempt under 5 U.S.C. 552a(k)(2) from subsections (c)(3), (d), (e)(1), (e)(4)(G), (e)(4)(H), (e)(4)(I) and (f) of the Act.

#### EEOC-2

#### SYSTEM NAME:

Attorney Referral List.

#### SYSTEM LOCATION:

All District Offices (see Appendix A).

#### CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Attorneys who represent plaintiffs in employment discrimination litigation.

#### CATEGORIES OF RECORDS IN THE SYSTEM:

This system contains attorneys' names, business addresses and telephone numbers, the nature and amount of their civil rights litigation experience; their state and federal bar admissions; whether the attorneys have the capacity and desire to handle class actions; whether the attorneys charge consultation fees (and how much); whether the attorneys will waive the consultation fee; the types of fee arrangements the attorneys will accept; and whether the attorney speaks a foreign language fluently.

#### AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

42 U.S.C. 2000e-4(g); 44 U.S.C. 3101.

#### PURPOSE:

This system is maintained for the purpose of providing charging parties, upon their request, with information about local attorneys who represent plaintiffs in employment discrimination litigation.

#### ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

These records and information in these records may be used:

a. To refer charging parties to attorneys who handle litigation of employment discrimination lawsuits.

b. To provide information to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of the individual.

#### POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

##### STORAGE:

Stored on prepared forms, on index cards and electronically.

##### RETRIEVABILITY:

Indexed alphabetically by names of the attorneys.

##### SAFEGUARDS:

Access to this system of records is restricted to EEOC personnel who have a legitimate use for the information. This system is stored in filing cabinets. Access to electronic records is limited, through use of access codes and entry logs, to those whose official duties require access.

**RETENTION AND DISPOSAL:**

Files are reviewed and updated annually.

**SYSTEM MANAGERS AND ADDRESS:**

Regional Attorney at each District Office (see Appendix A).

**NOTIFICATION PROCEDURE:**

Inquiries concerning this system of records should be addressed to the appropriate system manager. It is necessary to furnish the following information: (1) Full name of the individual whose records are requested; (2) mailing address to which the reply should be sent.

**RECORD ACCESS PROCEDURES:**

Same as above.

**CONTESTING RECORD PROCEDURES:**

Same as above.

**RECORD SOURCE CATEGORIES:**

The individual on whom the record is maintained.

**EEOC-3****SYSTEM NAME:**

Title VII, Americans with Disabilities Act, and Genetic Information Nondiscrimination Act Discrimination Case Files.

**SYSTEM LOCATION:**

Field Office where the charge of discrimination was filed (see Appendix A).

**CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:**

Persons, other than federal employees and applicants, who file charges alleging that an employer, employment agency, labor organization or joint labor-management apprenticeship committee has violated Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act of 1990, Title II of the Genetic Information Nondiscrimination Act of 2008 (GINA), or any combination of the three.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

This system contains records compiled during the investigation of race, color, religion, sex, national origin, disability, and genetic information discrimination cases. These records include:

- a. Documents submitted by charging party, such as a charge of discrimination, a personal interview statement, medical records, and correspondence.
- b. Documents submitted by employer such as position statement, correspondence, statements of witnesses, documentary evidence such

as personnel files, records of earnings, EEO data, employee benefit plans, seniority lists, job titles and descriptions, applicant data, organizational charts, collective bargaining agreements, and petition to revoke or modify subpoenas.

c. Records gathered and generated by EEOC in the course of its investigation such as letters to state or local fair employment practice agencies, correspondence with state fair employment practice agencies, witness statements, investigator's notes, investigative plan, investigator's analysis of the evidence and charge, report of initial and exit interviews, copy of deferral to state, subpoenas, decisions and letters of determination, analysis of deferral agency action, conciliation agreements, correspondence, and any additional evidence gathered during the course of the investigation.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

5 U.S.C. 301; 42 U.S.C. 2000e-5, -8 and -9; 42 U.S.C. 12117; 44 U.S.C. 3101, 42 U.S.C. 2000ff-10.

**PURPOSE:**

This system is maintained for the purpose of enforcing the prohibitions against employment discrimination contained in Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act of 1990, and Title II of the Genetic Information Nondiscrimination Act of 2008.

**ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:**

These records and information in these records may be used:

- a. To disclose pertinent information to a federal, state, or local agency or third party as may be appropriate or necessary to perform the Commission's functions under Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act of 1990, or Title II of the Genetic Information Nondiscrimination Act of 2008.
- b. To disclose information contained in these records to state and local agencies administering state or local fair employment practices laws.
- c. To disclose non-confidential or non-privileged information contained in these records to the following persons after a notice of right to sue has been issued:
  1. Aggrieved persons and their attorneys in case files involving Commissioner Charges provided that such persons have been notified of their status as aggrieved persons;
  2. Persons or organizations filing on behalf of an aggrieved person provided

that the aggrieved person has given written authorization to the person who filed on his or her behalf to act as the aggrieved person's agent for this purpose, and their attorneys;

3. Employers and their attorneys, provided that the charging party or aggrieved person has filed suit under Title VII, the Americans with Disabilities Act, Title II of the Genetic Information Nondiscrimination Act of 2008, or any combination of the three.

d. To provide information to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of a party to the charge.

e. To disclose pertinent information to the appropriate federal, state, or local agencies responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order, where EEOC becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation.

f. To disclose information to another federal agency, to a court, or to a party in litigation before a court or in an administrative proceeding being conducted by a federal agency when the government is a party to the judicial or administrative proceeding.

g. To disclose information to officials of disciplinary boards or committees under the control of a state or local government when they are investigating complaints against attorneys in connection with their representation of a party before EEOC.

h. To disclose to a Federal agency in the executive, legislative, or judicial branch of government, in response to its request for information in connection with the hiring of an employee, the issuance of a security clearance, the conducting of a security or suitability investigation of an individual, the classifying of jobs, or the lawful statutory, administrative, or investigative purpose of the agency to the extent that the information is relevant and necessary to the requesting agency's decision.

i. To disclose information to other federal agencies in accordance with Memoranda of Understanding or similar agreements between EEOC and other agencies that provide for coordination, cooperation, and confidentiality of documents in EEOC's employment discrimination enforcement efforts.

**POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM STORAGE:**

These records are maintained in file folders and electronically.

**RETRIEVABILITY:**

These records are retrievable by charging party name, employer name, and charge number.

**SAFEGUARDS:**

Paper records are maintained in a secured area to which only authorized personnel have access. Access to and use of these records is limited to those persons whose official duties require such access. The premises are locked when authorized personnel are not on duty. Access to electronic records is limited, through use of usernames and passwords, to those whose official duties require access.

**RETENTION AND DISPOSAL:**

All private sector charge files not designated for permanent retention will be retained for three years following the fiscal year in which they were closed. (For example, if a charge was closed on March 31, 2014, in FY 2014, the three-year retention period would begin on October 1, 2014, which is the first day of FY 2015.) These non-permanent files will be retained for one year in the EEOC field office where the charge of discrimination was filed. Afterwards, the non-permanent files will be transferred to the Federal Records Center (FRC). The FRC will destroy the files after the three-year retention period is met. Permanent files will be retained in the field office for three years and then transferred to FRC. FRC will transfer the files to the National Archives and Records Administration (NARA) for permanent retention when eligible.

Closed non-permanent private sector charge files that are the subject of Freedom of Information Act (FOIA) requests are retained for six years after the FOIA response is provided. The files will be transferred to FRC one year after completion of all actions taken under FOIA/Privacy Act. Alternatively, the files may be included as part of the permanent files retained by the EEOC field office.

Closed private sector charge files that are the subject of a Section 83 request are retained for six years after the Section 83 response is provided. The files will be transferred to FRC one year after completion of all actions taken under FOIA/Privacy Act. Alternatively, the files may be included as part of the permanent files retained by the EEOC field office.

**SYSTEM MANAGER(S) AND ADDRESS:**

Director of the office in the field where the charge was filed (see Appendix A). Director of the Office of

Field Programs, 131 M Street NE., Washington, DC 20507.

**SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:**

This system is exempt under 5 U.S.C. 552a(k)(2) from subsections (c)(3), (d), (e)(1), (e)(4)(G), (e)(4)(H), (e)(4)(I), and (f) of the Act.

**EEOC-4****SYSTEM NAME:**

Biographical Files.

**SYSTEM LOCATION:**

Office of Communications and Legislative Affairs, Equal Employment Opportunity Commission, 131 M Street NE., Washington, DC 20507.

**CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:**

Current and former Commissioners, General Counsels and Commission officials.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

Includes for each the name, date and place of birth, education, employment history, and other biographical information.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

44 U.S.C. 3101, 42 U.S.C. 2000e-4.

**PURPOSE:**

This system is maintained for the purpose of providing information about EEOC officials to members of the Congress and the public.

**ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:**

These records and information in these records may be used

a. To answer public and congressional inquiries regarding EEOC Commissioners, General Counsels and Commission officials.

**POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:****STORAGE:**

Stored electronically.

**RETRIEVABILITY:**

Indexed by last name of the Commissioner, General Counsel or Commission official.

**SAFEGUARDS:**

Files are kept in the Office of Communications and Legislative Affairs, which is locked evenings, weekends, and holidays.

**RETENTION AND DISPOSAL:**

Maintained permanently.

**SYSTEM MANAGER AND ADDRESS:**

Director, Office of Communications and Legislative Affairs, Equal Employment Opportunity Commission, 131 M Street NE., Washington, DC 20507.

**NOTIFICATION PROCEDURES:**

Inquiries concerning this system of records should be addressed to the system manager. All inquiries should furnish the full name of the individual and the mailing address to which the reply should be mailed.

**RECORD ACCESS PROCEDURES:**

Same as above.

**CONTESTING RECORDS PROCEDURES:**

Same as above.

**RECORD SOURCE CATEGORIES:**

The individual to whom the record pertains.

**EEOC-5****SYSTEM NAME:**

Correspondence and Communications.

**SYSTEM LOCATION:**

All locations listed in appendix A and all headquarters offices, 131 M Street NE., Washington, DC 20507.

**CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:**

Charging parties, members of the general public, members of Congress and current and former federal employees who seek information or assistance from EEOC.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

a. Inquiries from members of Congress, the White House and members of the general public, including current and former federal employees.

b. EEOC responses to the above inquiries.

c. Computer tracking system indicating the dates inquiries are received, to whom and when they are assigned for response and the dates they are answered.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

44 U.S.C. 3101; 42 U.S.C. 2000e-4.

**PURPOSE:**

This system is maintained for the purpose of responding to inquiries from members of Congress and the public seeking information or assistance.

**ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:**

These records and information in these records may be used: