

# EMPLOYMENT DISPUTE RESOLUTION PLAN

## I. INTRODUCTION

The District of Columbia Courts is committed to a workplace that is free from discrimination and harassment. All judges and employees are expected to treat each other with respect, civility, fairness, tolerance, and dignity. These values are essential to the judiciary, which holds its judges and court employees to the highest standards.

This Employment Dispute Resolution Plan (“Plan”), which supplements rather than replaces the D.C. Courts’ existing grievance processes, provides options for the reporting and resolution of allegations of wrongful conduct (discrimination, sexual harassment, racial or other discriminatory harassment, bullying and retaliation) in the workplace. Early action is the best way to maintain a safe work environment. The entire workforce has a responsibility to promote workplace civility, prevent harassment or bullying, and take appropriate action under this Plan upon receipt of reliable information indicating a likelihood of wrongful conduct.

This Plan applies to wrongful conduct allegations against: Associate Judges, Senior Judges, and Magistrate Judges of the Superior Court of the District of Columbia and District of Columbia Court of Appeals. The following persons may seek relief under this Plan: current and former employees (including all judicial administrative assistants and law clerks), paid and unpaid interns, externs, volunteers, and applicants for employment who have been interviewed and who filed within the timeline provided in this Plan. The effective date of this Plan is May 1, 2021. The following persons cannot seek relief under this Plan: Associate Judges, Senior Judges, Magistrate Judges, applicants for judicial appointment, court-appointed attorneys and applicants (e.g. Criminal Justice Act Panel Attorneys; Counsel for Child Abuse and Neglect Attorneys; and Guardian Ad Litem Attorneys), investigators and service providers, voluntary mediators, and any other independent contractors or other persons not specified above. *See Appendix 1 for full definitions of judges and employees.* Nothing in this Plan prohibits the Courts’ employees or applicants who apply for paid or unpaid employment with a judge from exercising their rights pursuant to the District of Columbia Courts Comprehensive Personnel Policies.

On June 1, 2018, the *Report of the Federal Judiciary Workplace Conduct Working Group to the Judicial Conference of the United States* (“Report”) was published as a call to action for the federal judiciary to enhance EDR Plans and create procedures for addressing behavior “to ensure an exemplary workplace for every judge and every court employee.” Report at 1. This Plan is based on the Model EDR Plan of the Judicial Conference of the United States issued in March 2010 as amended in September 2018 based on the June 1, 2018, Report and revised in September 2019. The Model EDR Plan provides protections comparable to those afforded to legislative branch employees under the Congressional Accountability Act of 1995 (“Act”).<sup>1</sup> Any modification of this Plan must be approved by the Joint Committee on Judicial Administration. The Plan will be posted on the Courts’ intranet and internet websites. A report on the implementation of the Plan will be included in the EEO Annual Report.

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<sup>1</sup> The Congressional Accountability Act of 1995, Pub. Law No. 104-1, gave legislative branch employees certain rights and established a dispute resolution procedure for legislative branch entities that emphasizes counseling and mediation for the early resolution of disputes. Although the Act does not cover the judicial branch, the federal judiciary proactively required all federal courts to follow the model. In March 2010, the Judicial Conference of the United States adopted a Model EDR Plan, which all 13 circuits of the federal judiciary have adopted with modifications. The Model EDR Plan was amended in September 2018 and revised in September 2019.

## II. WRONGFUL CONDUCT

- A. This Plan prohibits wrongful conduct (which may or may not constitute an adverse employment action) that occurs during the period of employment or the interview process (for an applicant). Wrongful conduct includes:

- discrimination;
- sexual harassment;
- racial, and other discriminatory harassment;
- bullying; and
- retaliation.

Wrongful conduct can be verbal, non-verbal, physical, or non-physical.

Wrongful conduct also includes conduct that would violate the following employment laws:

- Title VII, Civil Rights Act of 1964, including the Pregnancy Discrimination Act;
- Age Discrimination in Employment Act of 1967;
- The Americans with Disabilities Act and the Rehabilitation Act of 1973;
- Family and Medical Leave Act of 1993; and
- Uniformed Services Employment and Reemployment Rights Act of 1994.

- B. **Discrimination** is (a) the taking of an adverse employment action (such as hiring, firing, failing to promote, or a significant change in benefits) on account of race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, family responsibilities, pregnancy, genetic information, disability, matriculation, political affiliation, status of a victim or family member of a victim of domestic violence, a sexual offense, or stalking, or credit information of any individual; or (b) the creation of a hostile work environment that materially affects the terms, conditions, or privileges of employment on account of race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, family responsibilities, pregnancy, genetic information, disability, matriculation, political affiliation, status of a victim or family member of a victim of domestic violence; a sexual offense; or stalking; or credit information of any individual.
- C. **Harassment.** *Examples of conduct that may give rise to or constitute discriminatory harassment:* racial slurs; derogatory comments about a person's ethnicity, culture or foreign accent; or jokes about a person's age, disability or sexual orientation.

*Examples of conduct that may give rise to or constitute sexual harassment:* suggestive or obscene notes, emails, text messages, or other types of communications; sexually degrading comments; display of sexually suggestive objects or images; unwelcome or inappropriate remarks of a sexual nature or about physical appearance; or an employment action affected by submission to, or rejection of, sexual advances.

- D. **Bullying** includes repeated mistreatment involving abusive conduct that is threatening, oppressive, or intimidating, and interferes with an individual's ability to do one's job. It can be physical, verbal, non-verbal, psychological or involve abusive or retaliatory work assignments, social ostracism as well as demeaning treatment and comments. Bullying is not consistent with a workplace that aims to treat all individuals fairly and with respect.
- E. **Retaliation** is a materially adverse action taken against an employee for reporting wrongful conduct, assisting in the defense of rights protected by this Plan, or opposing wrongful conduct. Retaliation against a person who reveals or reports alleged wrongful conduct constitutes wrongful conduct.

### III. REPORTING WRONGFUL CONDUCT

The District of Columbia Courts encourages all employees to report alleged wrongful conduct early. Additionally, Associate Judges, Senior Judges, Magistrate Judges, members of the executive leadership team, division directors, and supervisors who observe or learn of reliable evidence of discrimination; sexual, racial, or other discriminatory harassment; bullying; or retaliation must take appropriate action pursuant to this EDR Plan. Therefore, individuals serving in these positions must report wrongful conduct to the appropriate authority or authorities as outlined in this Plan. This Plan does not prevent individuals who are the subject of wrongful conduct or who witness such conduct from reporting that conduct to authorities despite confidentiality requirements that may apply to legitimate information obtained in a work setting.

### IV. OPTIONS FOR RESOLUTION

The District of Columbia Courts will address alleged wrongful conduct as soon as possible and provide information about a range of flexible options available to address it. In addition to the options provided under this Plan, detailed in Sections A-C below, an employee is always free to civilly address an alleged wrongful conduct issue directly with the person whose conduct is of concern, contact the Diversity, Equity, Inclusion and Equal Employment Opportunity (EEO) Officer or, when a judge's conduct is at issue, report the alleged wrongful conduct to the applicable Chief Judge and/or to the District of Columbia Commission on Judicial Disabilities and Tenure.

The options provided for under this Plan are detailed below. Employees may choose any option or options they deem appropriate.

- A. **Plan Options.** Under this Plan, employees may choose to pursue:
  - 1. **Informal Advice;**
  - 2. **Assisted Resolution; or**
  - 3. **Formal Complaint.**
- B. **General Rights.** All options for resolution under the EDR Plan are intended to respect the privacy of the participants to the greatest extent possible and to protect the fairness and integrity of the process involving the alleged wrongful conduct from initiation to resolution.

1. **Confidentiality.** All individuals involved in the processes under this Plan must protect the confidentiality of information related to allegations, investigation, and case resolution. Information should be shared only to the extent necessary and only with those whose involvement is necessary to address the situation. Notwithstanding, an assurance of confidentiality must yield when there is reliable information that: the wrongful conduct threatens the safety or security of any person, the wrongful conduct is deemed serious or egregious or the alleged wrongful conduct threatens the integrity of the District of Columbia Courts. Should a third-party witness misconduct covered by this Plan, they are encouraged to report the incident to the appropriate official unless they are otherwise required to independently report misconduct, as noted in Section III above. Such action may include informing the Diversity, Equity, Inclusion and EEO Officer of complaints against employees or the appropriate Chief Judge of reports of wrongful conduct by a judge.
2. **Impartiality.** All hearings and other processes under this Plan must be conducted in a fair and impartial manner. The presiding officer must be impartial and may not act as an advocate for either party. The presiding officer must recuse himself/herself if they participated in, witnessed, or were otherwise involved with the conduct or employment action giving rise to the claim. Recusal is also required if the presiding officer's participation in the matter would create an actual conflict or the appearance of one.
3. **Right to representation.** Employees have the right to consult with a non-court representative, including legal counsel retained at the employee's own expense. Only an attorney who is authorized to engage in the practice of law pursuant to D.C. App. R. 49 may represent the employee in a hearing.
4. **Interim Relief.** An employee who pursues any of the options under this Plan may request a temporary transfer or an alternative work assignment if the employee alleges egregious conduct by a judge which makes it untenable to continue working for that person. Any such request must be made to the Diversity, Equity, Inclusion and EEO Officer or the applicable Chief Judge (for reports of wrongful conduct by a judge) to determine whether interim relief is appropriate, taking into consideration the impact on any court office.
5. **Additional Forums.** Individuals covered by this Plan alleging wrongful conduct as described herein may use options for resolution as set forth in Section C. Additionally, complaints against the Chief Judges or Associate Judges and Senior Judges of the Superior Court of the District of Columbia or the District of Columbia Court of Appeals for conduct covered by the Code of Judicial Conduct for the District of Columbia (2018 ed.) may be filed with the District of Columbia Commission on Judicial Disabilities and Tenure pursuant to D.C. Code §§ 11-1526-27 (2012 Repl.). To bring such a complaint, an electronic form can be filed on the website at [www.cjdt.dc.gov](http://www.cjdt.dc.gov) and a hard copy can be obtained by calling (202) 727-1363. Further, complaints against Magistrate Judges may be filed with the Committee on Selection and Tenure of Magistrate Judges by emailing [Committee.MagistrateJST@dcsc.gov](mailto:Committee.MagistrateJST@dcsc.gov).

## C. Information Specific to Each Option

1. **Informal Advice.** An employee may contact the Diversity, Equity, Inclusion and EEO Office for confidential advice and guidance about a range of topics including:
  - the rights and protections provided by this Plan;
  - ways to respond to wrongful conduct as it is happening; or
  - options for addressing the conduct, such as informal resolution, participating in assisted resolution, or pursuing a formal complaint provided by this Plan.
  
2. **Assisted Resolution.** Assisted resolution is an interactive, flexible process that may involve:
  - discussing the matter with the person whose behavior is of concern;
  - conducting a preliminary investigation, including interviewing persons alleged to have violated rights under this Plan and witnesses to the conduct;
  - engaging in voluntary mediation between the persons involved (Shared Neutral Program); or
  - resolving the matter by agreement.
  - a. To pursue this option, an employee must contact the Diversity, Equity and Inclusion and EEO Office and complete a “Request for Assisted Resolution” (Appendix 2). An employee asserting any claim of bullying must first use assisted resolution before filing a formal complaint. Filing a Request for Assisted Resolution will toll (extend) the time for filing a formal complaint.
  
  - b. If the allegations concern the conduct of a judge or chambers staff, the Chief Judge of the appropriate Court must be notified and will direct coordination of any assisted resolution or take appropriate actions under the circumstances. The Chief Judge may deny the Request for Assisted Resolution at any time if he or she concludes that the allegations are frivolous; the allegations do not allege conduct covered by this Plan; the alleged conduct arises out of the same facts and circumstances, and was resolved by, a previous EDR Complaint or other claim process or procedure; or there are other appropriate grounds for denial.
  
  - c. If assisted resolution is successful in resolving the matter, the parties will so acknowledge that resolution in writing. The parties by mutual assent, or the Diversity, Equity, Inclusion and EEO Officer in their discretion, will determine when to conclude the assisted resolution process. If the assisted resolution is not successful in resolving the matter, the Diversity, Equity, Inclusion and EEO Officer will advise the employee of their rights to file a formal complaint under the EDR Plan.

3. **Filing a Formal EDR Plan Complaint.** An employee may file a formal complaint (“complaint”) under this Plan with the Diversity, Equity, Inclusion and EEO Office to address a claim of wrongful conduct. Chapter V below discusses the procedural details of how a formal complaint is processed, once filed.
  - a. To file a complaint, an employee must submit a “Formal Complaint” (Appendix 3) to the Diversity, Equity, Inclusion and EEO Officer within 180 calendar days of the alleged wrongful conduct or within 180 calendar days of the time the employee became aware, or reasonably should have become aware of such wrongful conduct. Use of the informal advice or assisted resolution options will toll (extend) this 180-day deadline. The Chief Judge of the applicable Court, or the presiding officer handling the complaint may grant an extension of the deadline for good cause. Any such extension[s] shall be in writing and provided to the person subjected to the wrongful conduct.
  - b. An employee asserting any claim of bullying must first use assisted resolution before filing a formal complaint.
  - c. The employee filing the complaint is called the complainant. The party responding to the complaint is the court office that is responsible for providing any appropriate remedy and is called the respondent. The complaint is not filed against any specific individual(s) but against the applicable court office.

## **CHAPTER V. FORMAL COMPLAINT PROCESS REGARDING A JUDGE**

- A. **Initiation.** Once an employee has filed a complaint alleging wrongful conduct pursuant to Section IV.C.3 above, the Diversity, Equity, Inclusion and EEO Officer must immediately provide a copy of the complaint to the appropriate Chief Judge (or the next most senior active Associate Judge or a Joint Committee member of the respective court, if the allegation is against the Chief Judge), who will oversee the EDR complaint process. If a judge becomes the subject of both a complaint under this Plan and a complaint with the District of Columbia Commission on Judicial Disabilities and Tenure, the Chief Judge will confer with the District of Columbia Commission on Judicial Disabilities and Tenure in determining the timing of when to proceed with the EDR process. Regardless of whether there is a formal complaint filed with the District of Columbia Commission on Judicial Disabilities and Tenure, the Chief Judge should consider the need for any necessary or appropriate interim relief.
- B. **General Procedures for a Formal Complaint.**
  1. **Appointment of Presiding Officer.** Upon receipt of the complaint, the Diversity, Equity, Inclusion and EEO Officer will immediately send a copy of the complaint to the Chief Judge of the applicable Court who will appoint a presiding officer. The presiding officer may be a retired judge or any other credentialed professional with expertise in employee dispute resolution (e.g. arbitrator).

2. **Role of the Presiding Officer.** The presiding officer oversees the complaint proceeding. The presiding officer must provide the individual alleged to have violated rights under this Plan notice that a complaint has been filed and a copy of the complaint or allegations.

The presiding officer will allow and set the time for discovery, allow for settlement discussions, determine any written submissions to be provided by the parties, determine if a hearing is needed, determine the time, date and place of the hearing, issue a written decision, and recommendations if warranted.

3. **Disqualification and Replacement.** If the Chief Judge decides to appoint a Retired Judge, the Chief Judge will submit the names of three potential judges to the parties from which each party may, within seven business days, strike a prospective judge. In the event each party strikes different judges, the judge who was not stricken will be the presiding officer. In any other event (i.e., where the parties strike the same judge or one or both parties fail to exercise a strike), the Chief Judge will make the selection from the remaining judge or judges who have not been stricken.
4. **Response.** The respondent may file a response to the complaint by submitting the response in writing to the Diversity, Equity, Inclusion and EEO Office within **30 calendar days** of receiving the complaint. The Diversity, Equity, Inclusion and EEO Officer must immediately send the response to the presiding officer and to the complainant.
5. **Discovery.** The presiding officer will provide for such discovery to the complainant and respondent as is necessary and appropriate. The presiding officer will also determine what evidence and written arguments, if any, are necessary for a fair and complete assessment of the allegations and response.
6. **Case preparation.** The complainant may use eight hours to prepare their case, so long as it does not unduly interfere with their performance of duties.
7. **Extensions of Time.** Any request for an extension of time must be in writing. The presiding officer may extend any of the deadlines set forth in this EDR Plan for good cause, except for the deadline to issue a written decision, which may only be extended by the applicable Chief Judge.
8. **Established Precedent.** In reaching a decision, the presiding officer should be guided by judicial and administrative decisions under relevant rules and statutes, as appropriate. The District of Columbia's rules of evidence and procedure do not apply.
9. **Notice of Written Decision.** The Diversity, Equity, Inclusion and EEO Officer or presiding officer will immediately send a copy of the written decision to the parties, the Chief Judge of the applicable Court, and to any individual alleged to have violated rights protected by this Plan.

10. **Records.** After the proceedings under this Plan, all papers, files and reports will be filed with the Diversity, Equity, Inclusion and EEO Office. No papers, files or reports relating to a dispute shall be filed in an employee's personnel folder, except as necessary to implement an official personnel action. Records relating to violations under this Plan shall be kept confidential to the extent possible and only shared on a need-to-know basis. Records may be discoverable in a court action or subject to disclosure to the District of Columbia Commission on Judicial Disabilities and Tenure.

C. **Resolution of Formal Complaint Without a Hearing.** After notifying the parties and giving them an opportunity to respond, the presiding officer may resolve the matter without a hearing in the following circumstances:

1. **Dismissals.** The presiding officer may dismiss a complaint and issue a written decision at any time in the proceedings because it: is untimely filed; is frivolous; fails to state a claim or does not allege violations of the rights or protections in this Plan; arises out of the same facts and circumstances of and was resolved by a previous EDR complaint or other claim process or procedure; or should be dismissed on other appropriate grounds.
2. **Written Decision.** After completion of discovery, the presiding officer may, on their own initiative or at the request of either party, issue a written decision if the presiding officer determines that no relevant facts are in dispute and one of the parties is entitled to a favorable decision on the undisputed facts.
3. **Settlement.** The parties may enter into an agreed written settlement if approved in writing by the presiding officer and the applicable Chief Judge.

D. **Resolution of Complaint with a Hearing.** If the complaint is not resolved in its entirety by dismissal, decision without a hearing, settlement or by other means, the presiding officer will order a hearing on the merits of the complaint.

1. **Hearing.** The hearing will be held no later than **60 calendar days** after the appointment of the presiding officer unless there is an extension of the deadline for good cause. The presiding officer will determine the place and manner of the hearing.
2. **Record of Proceedings.** A verbatim record of the hearing must be made and will be the official record of the proceeding. This may be a digital audio recording or a transcript.
3. **Written Decision.** The presiding officer will make findings of fact and conclusions of law and issue a written decision no later than **60 calendar days** after the conclusion of the hearing, unless an extension for good cause is granted by the Chief Judge. If applicable, the Chief Judge of Superior Court, in his or her discretion, may disclose the written decision to the Committee on the Selection and Tenure of Magistrate Judges.

## CHAPTER VI. REMEDIES

If the presiding officer decides that the complainant has established by a preponderance of the evidence (more likely than not) that a substantive right protected by this Plan has been violated, the presiding officer will recommend appropriate remedies. The recommended remedies are limited to providing relief to the complainant, should be tailored as closely as possible to the specific violation(s) found, and take into consideration the impact on any court office. The Chief Judge and the court office (respondent) may take appropriate action to carry out the remedies recommended in the written decision, subject to any applicable law, policies or procedures.

1. Allowable Remedies may include:

- placement of the complainant in a position previously denied;
- placement of the complainant in a comparable alternative position;
- reinstatement to a position from which the complainant was previously removed;
- prospective promotion of the complainant;
- priority consideration of the complainant for a future promotion or position;
- records modification or expunged records;
- granting family and medical leave; and
- any other appropriate remedy to address the wrongful conduct.<sup>2</sup>

2. Unavailable Remedies. Monetary damages are not available.

### Appendices Attached:

1. Definitions
2. Request for Assisted Resolution
3. Formal Complaint Form

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<sup>2</sup> The issue in an EDR complaint is whether the court office is responsible for the alleged conduct; it is not an action against any individual. The presiding officer and Diversity, Equity, Inclusion and EEO Officer lack authority to impose disciplinary or similar action against an individual. However, when there has been a finding of wrongful conduct in an EDR proceeding, an appointing official, or official with delegated authority, such as the Committee on Selection and Tenure of Magistrate Judges, should separately assess whether further action, in accordance with any applicable policies and procedures, is necessary to correct and prevent wrongful conduct and promote appropriate workplace behavior, such as:

- requiring counseling or training;
- ordering no contact with the complainant;
- reassigning or transferring an employee;
- reprimanding the employee who engaged in wrongful conduct;
- issuing a suspension, probation or demotion of the employee who engaged in wrongful conduct; or
- terminating employment for the employee who engaged in wrongful conduct (applicable only to employees and Magistrate Judges).

## **APPENDIX 1 DEFINITIONS**

**Courts:** The District of Columbia Courts (to include the District of Columbia Court of Appeals, Superior Court of the District of Columbia, and Court System).

**Court Office/Respondent:** The office of the Courts that is responsible for providing any appropriate remedy. For judges and judicial staff, the court office is the Superior Court of the District of Columbia or the District of Columbia Court of Appeals, as applicable.

**Division Director:** The top court administrators of court offices, programs and divisions.

**Diversity, Equity, Inclusion and EEO Officer:** A Court employee, other than a judge or division director, designated by the Executive Officer to coordinate all options for resolution provided for in this Plan. The Diversity, Equity, Inclusion and EEO Officer coordinates workplace conduct issues and the implementation of the Court EDR Plan within the Court. The Diversity, Equity, Inclusion and EEO Officer provides informal advice and assisted resolution under the EDR Plan; assists in, provides or arranges for training throughout the Courts on workplace conduct, discrimination and sexual harassment; and collects and analyzes statistical data and other information relevant to workplace conduct matters. The Diversity, Equity, Inclusion and EEO Officer maintains and preserves all Court files pertaining to matters initiated and processed under this Employee Dispute Resolution Plan.

**Employee:** All Court employees, including: division directors and their staff, judicial assistants and other employees, law clerks, executive assistants and special counsels.

**Judge:** All Associate Judges, Senior Judges and Magistrate Judges of the District of Columbia Court and District of Columbia Court of Appeals.

**Parties:** The applicable court office (respondent) and the employee who has filed a request for assisted resolution or a formal complaint (complainant).

**Protected Categories:** The District of Columbia's protected categories include race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, family responsibilities, pregnancy, genetic information, disability, matriculation, political affiliation, status of a victim or family member of a victim of domestic violence; a sexual offense; or stalking; or credit information of any individual.

**APPENDIX 2  
REQUEST FOR ASSISTED RESOLUTION**

**USE OF ASSISTED RESOLUTION EXTENDS THE 180-DAY DEADLINE  
TO FILE A FORMAL COMPLAINT**

Submitted under the Procedures of the District of Columbia Courts' EDR Plan

Court: \_\_\_\_\_

Full Name:

Mailing Address:

Your mailing address:

Your email address:

Your phone number(s):

Office in which you are employed:

Name and address of court office from which you seek assistance (the court in which the applicable judge serves):

**Applicants for Employment Only**

The position you applied for:

Date of interview:

Dates of alleged incidents for which you seek assisted resolution:

Summary of the actions or occurrences for which you seek assisted resolution (attach additional pages as needed):

Names and contact information of any witnesses to the actions or occurrences for which you seek assisted resolution:

Describe the assistance or corrective action you seek (*attach additional pages as needed*):

Alleged Wrongful Conduct for which you seek assisted resolution (*check all that apply*):

Discrimination based on (*check all that apply*):

- Age
- Disability
- Ethnicity
- Gender
- Gender identity or expression
- Marital Status
- National Origin
- Political Affiliation
- Race
- Religion
- Sex
- Sexual orientation
- Status as a victim or family member of a victim of domestic violence, a sexual offense, or stalking
- Credit information

Harassment based on (*check all that apply*):

- Age
- Disability
- Ethnicity
- Gender
- Gender identity or expression
- Marital Status
- National origin
- Political Affiliation
- Race
- Religion
- Sex
- Sexual orientation
- Status as a victim or family member of a victim of domestic violence, a sexual offense, or stalking
- Credit information

Bullying

Family and Medical Leave

Uniform Services Employment and Reemployment Rights

Retaliation

Other (describe)

Do you have an attorney or other person who represents you?

Yes

Please provide name, mailing address, email address, and phone number(s):

No

**I acknowledge** that this Request will be kept confidential to the extent possible. However, information may only be shared, to the extent necessary, with those whose involvement is necessary to resolve this matter, as explained in the EDR Plan.

Your signature \_\_\_\_\_

Date Submitted \_\_\_\_\_

**APPENDIX 3  
FORMAL COMPLAINT FORM**

Submitted under the Procedures of the District of Columbia Courts' EDR Plan

Court: \_\_\_\_\_

Full Name:

Mailing Address:

Your email address:

Your phone number(s):

Office in which you are employed:

Name and address of court office from which you seek assistance (the court in which the applicable judge serves):

**Applicants for Employment Only**

The position you applied for:

Date of interview:

Dates of alleged incidents for which you seek assisted resolution:

Summary of the actions or occurrences for which you seek assisted resolution (*attach additional pages as needed*):

Describe the remedy or corrective action you seek (*attach additional pages as needed*):

Identify, and provide contact information for, any persons who were involved in this matter, who were witnesses to the actions or occurrences, or who can provide relevant information concerning the Complainant (*attach additional pages as needed*):

Identify the Wrongful Conduct that you believe occurred (*check all that apply*):

Discrimination based on (*check all that apply*):

- Age
- Disability
- Ethnicity
- Gender
- Gender identity or expression
- Marital Status
- National Origin
- Political Affiliation
- Race
- Religion
- Sex
- Sexual orientation
- Status as a victim or family member of a victim of domestic violence, a sexual offense, or stalking
- Credit information

Harassment based on (*check all that apply*):

- Age
- Disability
- Ethnicity
- Gender
- Gender identity or expression
- Marital Status
- National origin
- Political Affiliation
- Race
- Religion
- Sex
- Sexual orientation
- Status as a victim or family member of a victim of domestic violence, a sexual offense or stalking
- Credit information

Bullying

I have already sought assisted resolution for this bullying claim.

*Provide date request for assisted resolution submitted and concluded, and describe the resolution, if any:*

Retaliation

Uniform Services Employment  
and Reemployment Rights

Family and Medical Leave

Other (describe)

Do you have an attorney or other person who represents you?

Yes

Please provide name, mailing address, email address, and phone number(s):

No

I have attached copies of any documents that relate to my Complaint (such as emails, notices of discipline or termination, job application, etc.

**I acknowledge** that this Request will be kept confidential to the extent possible. However, information may only be shared, to the extent necessary, with those whose involvement is necessary to resolve this matter, as explained in the EDR Plan.

**I affirm** that the information provided in this Complaint is true and correct to the best of my knowledge:

Complainant signature

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Date Submitted

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