

CTER Conference



EEOC Intake and Interviews



Agenda

- Background on EEOC
- Interview Questions
- Challenging Parties



Laws Enforced by EEOC

- Title VII of the Civil Rights Act (Title VII)
 - Race, Color, Religion, Sex, National Origin, Retaliation
- Age Discrimination in Employment Act (ADEA)
 - 40 and over, Retaliation
- Equal Pay Act (EPA)
 - Sex and Pay/Compensation

Laws Enforced by EEOC



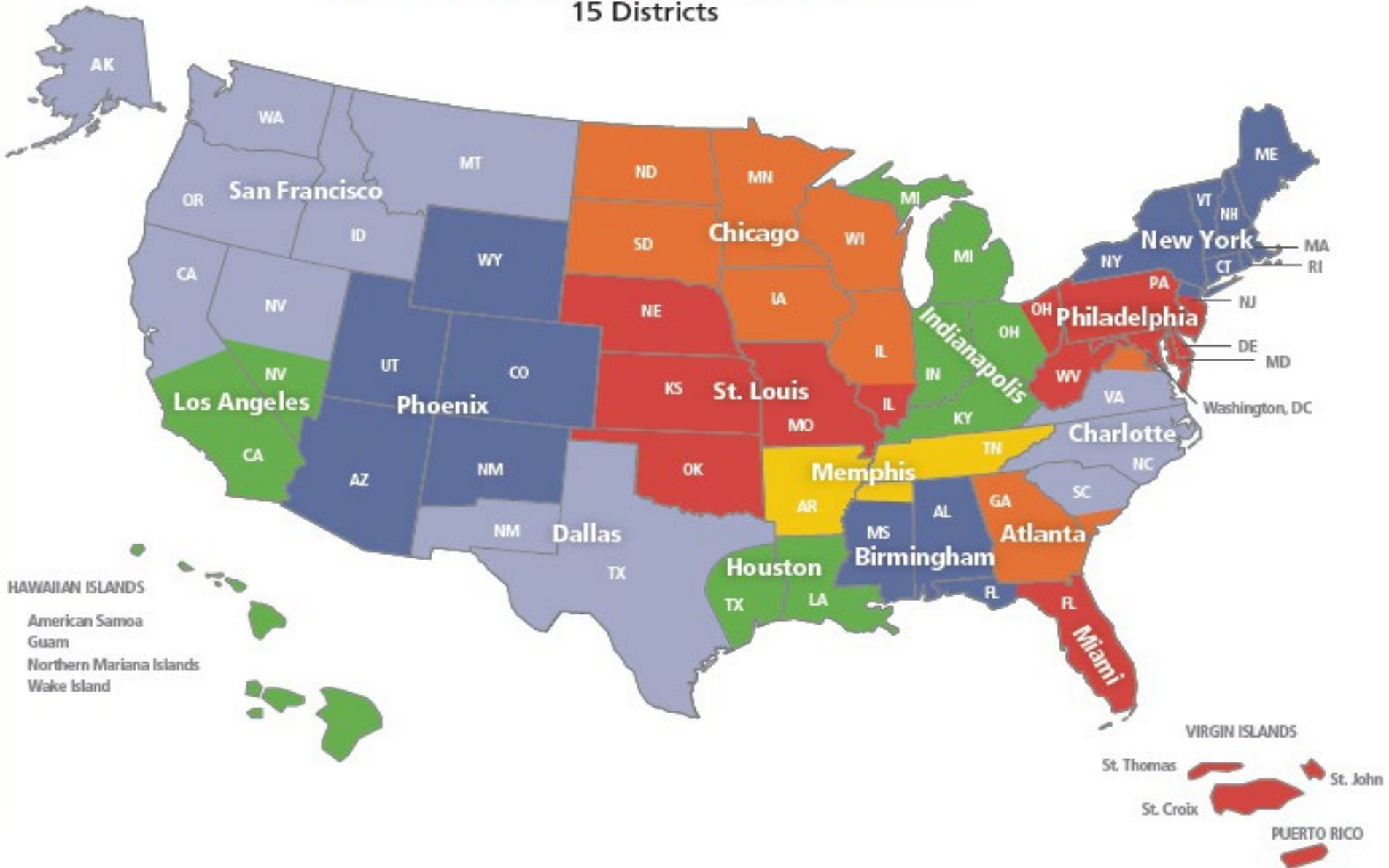
- **Americans with Disabilities Act (ADA)**
 - Prohibits discrimination because of an individual's disability or association,
Reasonable Accommodation, Confidentiality
- **Genetic Information
Nondiscrimination Act (GINA)**
 - Genetic Info (Family Medical History),
Confidentiality



What does the EEOC do?

- Investigate charges of employment discrimination filed against employers, labor organizations and employment agencies
- Evaluate evidence to determine if discrimination occurred
- Litigate cases where discrimination has been found and conciliation efforts have been unsuccessful
- To develop regulations and policy guidance to promote equal opportunity in the workplace
- To provide training and technical assistance, outreach and education programs

Equal Employment Opportunity Commission 15 Districts





Investigates Employment Discrimination

- Charging Party/Complainant submits an inquiry or contacts the EEOC
- EEOC Representative interviews the party
- Mediation
- Investigation
- Decision
- Conciliation, or if unsuccessful possible litigation
- At each stage, a review occurs and decision may be made



What is an interview?

- An interview is a conversation with a purpose
- Know the purpose of the interview to create the goals



Goals of the interview

- Learn what the individual knows
- Draw out relevant information
- Develop investigative information
- Determine credibility while avoiding assumptions
- Create a written interview record



Preparing for the interview

- Read information submitted
- Search records (if applicable)
- Write down any questions you may have
- Eliminate distractions/interruptions (e.g. cell phones; emails, visits to your office)
- Don't attempt to assess the case before you conduct the interview
- Keep an open mind



Overview of the interview

Introduce

Introduce yourself – Name/Role/Organization

Define

Explain your role

Explain how the information will be used and how the record will be maintained

Establish

Rapport and Control

Who is/will be present during the interview

Start with basic background questions

Use the draft questions as a roadmap

Question

W Questions, open-ended

Ask follow-up questions

Close Out

Is there anything else you think I should know?

Discuss the next steps

Questions



Types of Questions

- Keep questions short and clear
- Use non-technical language
- Try to avoid interrupting unless the individual is giving you too much information or is very off topic
- Use your “W” questions
- Remain objective

Interview Guidelines



- Recognizing how personalities may affect the interview
- Be courteous and reassure the party
- Control your reactions
- Listen carefully and ask questions to focus on the story
- Be professional
- Be respectful
- Be non-judgmental
- Be objective

Challenging Personality Types



- Passive, introverted, apathetic, very quiet, frightened
- Arrogant, evasive, manipulative
- Hostile, aggressive, angry, violent
- Talkative, overeager, rambles, won't respond to what you want



Closing out the Interview

- Provide the next steps in the process
- Inform the person of the specific reasons if their case will not be investigated any further
- How to submit additional information
- Provide any applicable resources
- Inform the person about their responsibility for preserving evidence
- Ask them to update contact information
- Allow time for any lingering questions



Contact Information

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Questions

