

SAMPLE

INFORMATION AND DOCUMENT REQUEST FOR RESPONDENT

██████████ v ██████████

- 1) Position statement or narrative of events related to this matter
- 2) Legal corporate name; number of employees.
- 3) A copy of your personnel policies, if any, that address (a) employee complaint process; (b) anti-discrimination policy; (c) anti-retaliation policy; and (d) disciplinary policy.
- 4) Describe in detail the education and training provided to employees and managers regarding age discrimination and whistleblower retaliation. Who provides the training/education? What topics are covered? When (dates) was training/education offered in the past two years? Who attended?
- 5) What method(s) are used to notify employees of your anti-discrimination and -retaliation policies? Posters? Annual notices? Other? Please provide a copy of all written notices related to these policies sent to/provided to Complainant while he was employed.
- 6) Brief chronology of Complainant's employment history, denoting dates of hire, raises, promotions, awards, transfers, leaves, and separation.
 - a) Please provide a copy of existing evaluations of Complainant's work.
 - b) Please provide copies or an account of all verbal or written reprimands, warnings, or disciplinary actions issued to the Complainant **and others** in same job classification in the past 2 years. Please provide the ages of any/all employees who were given such employment actions.
 - c) Please explain the reason Complainant was required to take two days off in August 2014 (see page one of the complaint).
- 7) Did the Complainant complain about age discrimination or retaliation for protected activity while he was employed?
 - a) If so, provide a detailed account of the investigative and corrective actions taken with regard to Complainant's concerns, including who was interviewed, when, and what corrective action was taken in response to complainant's concerns.
 - b) Please submit copies of any relevant document, e.g., memos to file, correspondence, investigative reports; disciplinary or corrective action.
 - c) Please indicate whether Complainant acknowledged satisfaction of disposition of complaint and action taken.

- 8) Please provide copies of all documents in Respondent's possession, custody or control which relate to the 2015-2016 OSHA investigation of Respondent.
- 9) Provide a roster of employees who have made similar complaints in the past two years, with each employee's age identified. Please provide name, approximate date of complaint, current/last known address and telephone number, and employment status.
- 10) Discharge decision:
 - a) Brief description of the mechanics of the discharge process (i.e. oral warning, written warning, suspension, discharge, etc.) in this instance.
 - b) Please provide an explanation for Complainant's discharge.
 - c) Identify by name and job title the individuals who decided to discharge Complainant.
 - d) Copy of any employer records, verifying documents, customer or co-worker complaints, or personnel policy, which support your explanation for Complainant's dismissal.
 - e) Statement of any supervisor whose assessment led to the separation decision.
- 11) Copy of information provided Maine Employment Security Commission regarding any unemployment claim.
- 12) Copy of any union or in house grievance filed by the Complainant relative to this matter.
- 13) List of other employees (please denote name, age, date of hire, date of separation and reason for separation) who have been separated in the past 2 years. Please denote those who were separated for reasons similar to Complainant.
- 14) What is the name and age of Complainant's replacement?
- 15) Disagreements, if any, with the Complainant's contentions in the Charge of Discrimination.
- 16) Any other information, documents, or position statement you deem relevant.