

# SAMPLE

## REQUEST FOR INFORMATION AND DOCUMENTS TO RESPONDENT

██████████ v ██████████

1. Position statement or narrative of events related to this matter.
2. Legal corporate name; number of employees.
3. A copy of those sections of your personnel policy that address employees' use of work email for personal use and that relate to progressive discipline and grounds for dismissal.
4. Brief description of the mechanics of the discharge process (i.e., oral warning, written warning, suspension, discharge, etc.) in this instance.
5. Brief chronology of Complainant's employment history, and any documents related thereto, including:
  - a. Date of hire, raises, promotions awarded, transfers, leaves, date of separation;
  - b. Copy of exit interview;
  - c. Copy or account of all verbal or written reprimands, warnings, or disciplinary actions issued to the Complainant;
  - d. Copy of existing evaluations of Complainant's work;
  - e. Copy of any union or in-house grievance filed by the Complainant relative to this matter;
  - f. Copy of the results of all investigations and decisions made regarding grievances.
6. Complainant's discharge:
  - a. List and explain in detail all reasons for her termination from employment;
  - b. Describe and provide any policies or rules Complainant allegedly violated;
  - c. Provide any investigation materials related to the discharge from employment;
  - d. Provide any customer or co-worker complaints about Complainant related to her discharge from employment;
  - e. Identify all decision-makers involved in the discharge decision;
  - f. Briefly explain the rationale each decision-maker used and his/her role in the decision;
  - g. If Respondent did not follow its progressive discipline process, why not?
  - h. Provide internal communications between and among supervisors and decision-makers, and also statements signed by the decision-makers.
7. Copy of any records in all formats (e.g. paper, electronic or other) in Respondent's possession, custody or control that relate to Complainant's discharge from employment. Internal communications between and among supervisors and decision-makers.

8. Please list any other employees of Respondent's who were disciplined, counseled or terminated from employment for the same reason as Complainant in the past five years, including whether each had a disability. If any of these employees were not terminated, please state why the decision to treat those employees' situations differently than Complainant's was made.
9. Did Complainant tell Respondent or its agents/employees – or was Respondent otherwise aware – that Complainant had a medical condition that affected her ability to perform her job?
  - a. If Complainant told Respondent, how and when did she do that? Provide any records related to this answer.
  - b. If Respondent otherwise was aware of this, how and when did it become aware? Provide any records related to this answer.
10. List of other employees who have been separated in the past two years. Please denote name, any disability, date of separation and reason for separation. Indicate those who were terminated for the same/similar reason as Complainant.
11. Did Respondent have a need for the work performed by Complainant to continue to be performed after Complainant's separation? If so, provide the name(s), job title, date of hire, and disability status of those individuals who assumed Complainant's job duties.
12. Copy of information provided by employer and employee to Maine Employment Security Commission regarding any unemployment claim; copy of all decisions regarding application for unemployment benefits.
13. Copy of any medical information in your possession concerning Complainant's ability to perform job duties **[SEE AUTHORIZATION FOR RELEASE OF INFORMATION, INCLUDED.]**
14. Accommodations
  - a) List of accommodations requested by Complainant (if any);
  - b) Detailed account of your attempts to accommodate Complainant's disabilities, including any interactive dialogue about the request for accommodation;
  - c) If the accommodation requested by Complainant imposed an undue administrative or financial hardship, provide a detailed explanation of the hardship and how you reached that conclusion;
  - d) If true, explain why no alternative reasonable accommodation was offered.
15. Disagreements, if any, with allegations in the complaint.
16. Any other information, documents, or position statements you deem relevant.