

San Bernardino County
Equal Employment Opportunity Plan (EEOP)
Utilization Report



2014

COUNTY OF SAN BERNARDINO

EEOP Utilization Report 2014

Purpose of the EEOP Utilization Report

The Equal Employment Opportunity (EEO) Plan Short Form is a report of the County's workforce by gender and race or ethnicity, which is required by the Department of Justice (DOJ) as a condition to receive grant funding. The DOJ's purpose of this Plan is to ensure full participation of women and minorities in the County's employment opportunities. The DOJ's on-line automated survey compares the County's workforce to the community labor market in San Bernardino County and computes a statistical Utilization Analysis to determine underutilization (or underrepresentation) in the workforce. A chart of the Underutilization Analysis provides a visual representation of the areas that need to be addressed. The County established objectives to address the areas of underrepresentation in the workforce, as well as, steps to take to meet its objectives. Finally, the County is required to make this Plan available to personnel within the County and the public. This Plan is viewable on the County's Intra/Internet Human Resources Websites.

This EEOP Utilization Report follows the DOJ's format, which includes the following:

- Policy Statement
- Underutilization Analysis of the County's Workforce
- Significant Underutilization (underrepresentation) Chart
- Utilization Analysis Chart
- Objectives to Address Underutilization in the County's Workforce and Steps to Achieve the Objectives
- Dissemination of the report
- County of San Bernardino Non-Discrimination/Harassment Policy

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Policy Statement

It is the Policy of the Board of Supervisors that the County of San Bernardino shall not discriminate against or tolerate the harassment of employees or applicants for employment on the basis of actual or perceived age, ancestry, color, race, sex, religion, national origin, marital status, physical or mental disability, medical condition, or sexual orientation, or any other basis protected by law. All County employees or applicants for employment are to be treated with respect and dignity. In addition, the County shall not discriminate on the basis of disability in admission or access to, or in operations of, its programs, services, or activities. It is the responsibility of all County employees to adhere to and implement this Policy. The County has zero tolerance for any conduct that violates this Policy. Conduct need not arise to the level of a violation of the law in order to violate this Policy. Instead, failure to follow the Policy provides grounds for disciplinary action up to and including termination of employment or vendor contracts.

A copy of the complete Non-Discrimination/Harassment Policy is at end of this report.

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Utilization Analysis of the County's Workforce

The Utilization Analysis is a statistical comparison of the County's workforce by gender and race or ethnicity to the available community labor in the County of San Bernardino. The DOJ's on-line automated survey computes the statistical analysis and determines areas of significant underutilization (or under representation) in the County's workforce in the following job categories: Officials/Administrators, Professionals, Technicians, Sworn Protective Services, Non-Sworn Protective Services, Administrative Support, Skilled Craft, and Service Maintenance. Per the DOJ guidelines, the composition of the County's workforce includes employees in regular and contract positions. Elected Officials, Public Service Employees, and other Extra-Help employees are excluded from the data analysis. Below is the narrative of the County's underrepresented groups:

Hispanics or Latino Males are underrepresented in the following job categories:

Officials/Administrators (-10%), Professionals (-1%), Technicians (-3%), Protective Services: Sworn (-7%), Administrative Support (-12%), Skilled Craft (-29%), and Service Maintenance (-19%).

Blacks or African American Males are underrepresented in the following categories:

Technicians (-1%), Protective Services: Sworn (-5%), and Administrative Support (-1%).

Asian Males are underrepresented in the following categories:

Professionals (-2%), Technicians (-2%), Protective Services: Sworn (-1%), Protective Services: Non-Sworn (9%), and Administrative Support (-2%).

White Females are underrepresented in the following category:

Professional (-7%).

Asian Females are underrepresented in the following categories:

Professionals (-1%), Technicians (-2%) categories. Administrative Support (-1%), and Service Maintenance (2%).

There is also underrepresentation in the male and female "Other" categories

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Significant Underutilization Chart

Job Categories	Male								Female							
	White	Hispanic Or Latino	Black or African American	American Indian or Alaska Native	Asian	Native Hawaiian or Other Pacific Islander	Two or More Races	Other	White	Hispanic Or Latino	Black or African American	American Indian or Alaska Native	Asian	Native Hawaiian or Other Pacific Islander	Two or More Races	Other
Officials/Administrators		✓			✓								✓			
Professionals	✓				✓			✓	✓				✓			✓
Technicians	✓				✓			✓					✓			✓
Protective Services: Sworn	✓	✓			✓	✓		✓								✓
Administrative Support	✓	✓	✓		✓			✓					✓			✓
Skilled Craft		✓	✓		✓											
Services Maintenance		✓			✓								✓			

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Underutilization Analysis Chart

Job Categories	Male								Female							
	White	Hispanic Or Latino	Black or African American	American Indian or Alaska Native	Asian	Native Hawaiian or Other Pacific Islander	Two or More Races	Other	White	Hispanic Or Latino	Black or African American	American Indian or Alaska Native	Asian	Native Hawaiian or Other Pacific Islander	Two or More Races	Other
Officials/Administrators																
Workforce #/%	79/35%	12/5%	13/6%	1/0%	6/3%	1/0%	3/1%	0/0%	66/30%	17/8%	15/7%	2/1%	5/2%	0/0%	3/1%	0/0%
CLS#/%	805,425/38%	204,270/10%	45,140/2%	3,660/0%	172,275/8%	3,150/0%	14,500/1%	7,790/0%	503,630/24%	157,390/7%	52,335/2%	3,720/0%	130,970/6%	3,225/0%	12,650/1%	6,950/0%
Utilization #/%	-2%	-4%	4%	0%	-5%	0%	1%	-0%	6%	0%	4%	1%	-4%	-0%	1%	-0%
Professionals																
Workforce #/%	910/13%	471/7%	201/3%	14/0%	265/4%	9/0%	55/1%	0/0%	1835/26%	1872/26%	798/11%	39/1%	478/7%	31/0%	175/2%	0/0%
CLS#/%	909,825/29%	180,800/6%	66,290/2%	3,860/0%	325,070/1	3,435/0%	21,155/1%	12,085/0%	921,400/29%	247,345/8%	87,830/3%	4,685/0%	319,465/1%	3,520/0%	24,155/1%	13,155/0%
Utilization #/%	-16%	1%	1%	0%	-7%	0%	0%	-0%	-4%	18%	8%	0%	-3%	0%	2%	-0%
Technicians																
Workforce #/%	273/15%	174/10%	54/3%	5/0%	62/3%	5/0%	17/1%	0/0%	485/27%	427/23%	196/11%	6/0%	77/4%	5/0%	33/2%	0/0%
CLS#/%	104,665/26%	40,410/10	10,250/3%	665/0%	48,385/12%	945/0%	3,275/1%	1,575/0%	84,105/21%	43,270/11%	14,765/4%	735/0%	47,255/12%	665/0%	3,385/1%	2,085/1%
Utilization #/%	-11%	-0%	0%	0%	-8%	0%	0%	-0%	6%	13%	7%	0%	-7%	0%	1%	-1%
Protective Services: Sworn																
Workforce #/%	1159/38%	574/19%	193/6%	11/0%	59/2%	5/0%	31/1%	0/0%	415/14%	341/11%	206/7%	10/0%	26/1%	2/0%	24/1%	0/0%
CLS#/%	131,560/40%	75,870/23%	30,035/9%	1,925/1%	19,875/6%	2,060/1%	3,780/1%	1,985/1%	24,965/8%	17,345/5%	9,995/3%	485/0%	3,605/1%	495/0%	1,205/0%	730/0%
Utilization #/%	-2%	-4%	-3%	-0%	-4%	-0%	-0%	-1%	6%	6%	4%	0%	-0%	-0%	0%	-0%
Protective Services: Non-Sworn																
Workforce #/%	10/23%	6/14%	2/5%	0/0%	0/0%	0/0%	0/0%	0/0%	18/42%	3/7%	2/5%	0/0%	0/0%	0/0%	2/5%	0/0%
CLS#/%	6,110/30%	2,820/14%	1,035/5%	135/1%	1,315/6%	0/0%	185/1%	190/1%	4,750/23%	2,590/13%	725/4%	15/0%	455/2%	90/0%	129/1%	150/1%
Utilization #/%	-6%	0%	-0%	-1%	-6%	0%	-1%	-1%	19%	-6%	1%	-0%	-2%	-0%	4%	-1%
Administrative Support																
Workforce #/%	105/3%	119/4%	36/1%	5/0%	16/0%	1/0%	9/0%	0/0%	1170/34%	1373/40%	365/11%	24/1%	77/2%	7/0%	91/3%	0/0%
CLS#/%	789,770/18&	508,135/12%	95,030/2%	5,310/0%	242,305/6%	6,390/0%	21,875/1%	13,905/0%	1,208/745/28%	844,810/20%	166,325/4%	11,800/0%	321,240/7%	12,235/0%	37,235/1%	22,025/1%
Utilization #/%	-15	-8%	-1%	0%	-5%	-0%	-0%	-0%	6%	21%	7%	0%	-5%	-0%	2%	-1%
Skilled Craft																
Workforce #/%	265/45%	119/21%	17/3%	8/1%	12/2%	0/0%	7/1%	0/0%	41/7%	35/6%	38/7%	2/0%	19/3%	0/0%	9/2%	0/0%
CLS#/%	502,010/39%	565,860/44%	38,845/3%	5,035/0%	85,055/7%	4,685/0%	10,830/1%	7,120/1%	26,515/2%	28,545/2%	3,635/0%	325/0%	16,650/1%	365/0%	670/0%	515/0%
Utilization #/%	7%	-23%	0%	1%	-4%	-0%	0%	-1%	5%	4%	6%	0%	2%	-0%	2%	-0%
Services Maintenance																
Workforce #/%	117/22%	104/20%	50/9%	3/1%	7/1%	0/0%	3/1%	0/0%	71/13%	115/22%	52/10%	0/0%	4/1%	0/0%	6/1%	0/0%
CLS#/%	667,880/15%	1,570,385/35	117,095/3%	8,375/0%	235,965/5%	10,670/0%	22,085/0%	17,055/0%	526,735/12%	940,885/21%	97,565/2%	7,585/0%	239,870/5	7,910/0%	19,360/0%	13,320/0%
Utilization #/%	7%	-15%	7%	0%	-4%	-0%	0%	-0%	2%	1%	8%	-0%	-5%	-0%	1%	-0%

Note: The data on this page is auto generated from DOJ software. The utilization percentages are automatically rounded to the nearest whole number.

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Objectives to Address Underutilization & Step to Achieve Objectives

1. **In accordance with the Countywide Vision statement, we envision a complete county that capitalizes on the diversity of its people. The County will engage in recruitment, promotional, and development efforts to address the under-representation of minorities in the following: Hispanic males in most categories; White females Professionals category; Black males in the Technicians, Protective Services: Sworn, and Administrative Services; Asian males in the Professionals, Technicians, Protective Services: Sworn, and Administrative categories; and Asian females in the Technicians Administrative Support and Service Maintenance categories.**
 - a. Identify and utilize local and regional recruitment sources to increase applicants in all job categories where underrepresentation exists.
 - b. Place recruitment advertisements in newspapers, publications, and web-based job boards in an attempt to increase applicants in all job categories where underrepresentation exists.
 - c. Increase contacts with colleges, universities, and other educational institutions as sources for outreach recruitment of qualified candidates.
 - d. Centralize the County of San Bernardino Internship program within Human Resources to potentially increase qualified applicants.
 - e. Increase Human Resources participation and involvement with local and regional women, minority, and other under-represented cultural organizations, events, job fairs and oral board participation, where the County can be established as a viable employer for all qualified candidates.
 - f. Human Resources will develop and regularly review the list of recruiting sources.
 - g. Examine available testing methods to ensure utilization of the most effective, equitable, and valid measurements possible and to ensure that testing procedures are reliable indicators of a candidate's suitability for hire or promotion.

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Objectives to Address Underutilization & Step to Achieve Objectives

- 2. In addition to recruitment efforts, the County will also will continue to provide employee training and develop an awareness of equal employment opportunity, diversity and inclusion.**
 - a. The County Equal Opportunity Commission will continue to host the Annual Equal Employment Opportunity Forum to promulgate the message of Diversity and Inclusion.
 - b. The Human Resources Department has worked with other departments to form Department Diversity Committees (DDC). A DDC is a group of enthusiastic employees that work together to promote diversity and inclusion in their department. HR will work to increase the number of Department Diversity Committees (DDC) in the County and provide training and quarterly reports of applicant data by ethnicity, gender and EEOP job categories to the DDCs.
 - c. Continue to train supervisors and managers on prevention of discrimination and harassment.
 - d. Develop a discrimination and harassment prevention training for non-supervisory employees.
 - e. The EEO Office will develop and publish a training calendar that identifies and summarizes the EEO training workshops offered each year so employees can better plan and coordinate their training needs.
 - f. The EEO Office will continue to maintain a process that ensures that all people serving on oral boards, including supervisors and managers, are trained and/or have the appropriate resources available to them to conduct proper, legal and effective interviews for selection process.
 - g. Succession planning efforts will continue to be priority. The Human Resources department will continue to partner with departments to develop a plan to prepare for upcoming retirements and promotions. This includes training and other resources.

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Report Dissemination

Internal Dissemination

- The EEO Office will post the EEOP Utilization Report on the County's HR Intranet website.
- The EEO Office will distribute the report to the Sheriff and Probation Departments.

External Dissemination

- The EEO Office will post the EEOP Utilization Report on the County's HR Internet website.
- The HR Department will ensure job announcements/postings and the County job application continues to include the statement, "The County of San Bernardino is an Equal Employment Opportunity and ADA Compliant Employer".

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Non-Discrimination/Harassment Policy

NON-DISCRIMINATION POLICY

It is the Policy of the Board of Supervisors that the County of San Bernardino shall not discriminate against or tolerate the harassment of employees or applicants for employment on the basis of actual or perceived age, ancestry, color, race, sex, religion, national origin, marital status, physical or mental disability, medical condition, or sexual orientation or any other basis protected by law. All County employees or applicants for employment are to be treated with respect and dignity. In addition, the County shall not discriminate on the basis of disability in admission or access to, or in operations of, its programs, services or activities. It is the responsibility of all County employees to adhere to and implement this Policy. The County has zero tolerance for any conduct that violates this Policy. Conduct need not arise to the level of a violation of the law in order to violate this Policy. Instead, failure to follow the Policy provides grounds for disciplinary action up to and including termination of employment or vendor contracts.

Persons who believe they have experienced any form of discrimination or harassment are encouraged to report this immediately, using the Complaint Resolution Procedure provided in the Section entitled INDIVIDUAL RIGHTS AND RESPONSIBILITIES AND COMPLAINT PROCEDURE

ANTI-RETALIATION

It is the Policy of the Board-of Supervisors to prohibit the taking of any adverse employment action against those who report, oppose, or participate (as witnesses or accused) in investigations into complaints of alleged violations of this Policy or State or Federal law in retaliation for that reporting, opposition, or participation. Disciplinary action, up to and including termination, will be taken against any employee who is found to have violated this Anti-Retaliation provision. Any contractor who violates this provision will be subject to appropriate sanctions.

SEXUAL HARASSMENT POLICY

It is the policy of the County of San Bernardino to provide a work environment free from unwelcome sexual overtures, advances or coercion. Employees are expected to adhere to a standard of conduct that is respectful to all persons within the work place. The County will not tolerate any form of sexual harassment, nor will it tolerate any act of retaliation against any person filing a complaint of sexual harassment. In addition, favoritism that arises from consensual romantic or sexual relationships between employees may be construed as harassment. This Policy applies to regular status, probationary or contract employees; applicants for County employment; elected officials, department heads, exempt employees and vendors' actions towards County employees.

DEFINITIONS

Discrimination is any practice, process or action in the work place which works against equality of opportunity and against the ability of each person to be employed and to advance on the basis of merit, due to age, ancestry, color, race, sex, religion, national origin, marital status, physical or mental disability, medical condition, or sexual orientation or other status protected by law unless such practice, process or action is necessary for employment purposes.

Harassment may be verbal, physical, visual, or sexual. It may be made in general or directed to an individual, or a group of people. Harassment may occur regardless of whether the behavior was intended to harass. Harassers may be supervisors, managers, co-workers, contractors or members of the public. General forms of harassment on the basis of age, ancestry, color, race, sex, religion, national origin, marital status, physical or mental disability, medical condition, or sexual orientation or other status protected by law include, but are not limited to, the following examples:

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Non-Discrimination/Harassment Policy (continued)

Verbal - repeated, unsolicited derogatory comments, epithets or slurs; or continued requests for social or sexual contact after being advised such contact is unwelcome.

Physical - assault, impeding or blocking movement, unwelcome touching, leering, or any physical interference with normal work or movement when directed at an individual.

Visual - derogatory, prejudicial, stereotypical, or otherwise offensive email messages, web pages, screen savers and other computer images; posters, photographs, cartoons, notes, notices, bulletins, or drawings; staring or leering.

Sexual - advances which condition an employment benefit in exchange for sexual favors, or which may be perceived as such.

Retaliation – includes, but is not limited to discipline; transfer; denial of promotional opportunity, training or assignment; as a result of filing a complaint or participating in an investigation.

Sexual Harassment is defined as unsolicited or unwelcome sexual advances, requests for sexual favors, and/or other verbal, physical or visual conduct of a sexual nature when:

1. submission to such conduct is made either explicitly or implicitly as a term or condition of an individual's employment;
2. submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
3. such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

SEXUAL HARASSMENT POLICY AMPLIFICATION

Sexual harassment is a violation of federal and state law. Sexual harassment can cause physical, emotional and economic problems for its victims. In addition to the anxiety these demands may cause, there may be an underlying message that noncompliance will lead to reprisals. These reprisals can include escalation of the harassment, poor work assignments, sabotaging work, unsatisfactory evaluations, threatened demotions, transfers, poor job references, slander, gossip, blackmail, and other forms of retribution.

Sexual harassment undermines the integrity of the employment relationship. Sexual harassment can result in economic loss to the County of San Bernardino and its employees, excessive absenteeism and turnover, loss of morale, polarization of staff, a decrease in management credibility, and a decrease in productivity. . It is critical that appointed and elected department heads ensure compliance with this policy. Failure to ensure compliance will be deemed just cause for action against the appointing authority.

EXAMPLES OF SEXUAL HARASSMENT

For the purpose of clarification, sexual harassment may include, but is not limited to:

1. Making unsolicited written, verbal, physical and/or visual contact with sexual overtones. Written examples: suggestive or obscene letters, notes or invitations. Verbal examples: comments on physical attributes, derogatory comments, slurs, jokes and epithets. Physical examples: assault, touching, following, impeding or blocking movements. Visual examples: leering, gestures, display of sexually suggestive objects, pictures, cartoons or posters.
2. Continuing to express sexual interest after being informed that such interest is unwelcome. (Reciprocal attraction is not considered sexual harassment.)
3. Making reprisals, threats of reprisal, or implied threats of reprisal following a negative response. For example, either implying or actually withholding support for an appointment, promotion, or change of assignment; suggesting a poor work performance evaluation will be prepared, or suggesting a demotion or probationary period will be extended or failed.
4. Engaging in implicit or explicit coercive sexual behavior, which is used to control, influence, or affect the career, salary, and/or work environment of another employee.
5. Offering favors of employment benefits such as, promotions, favorable work performance evaluations, favorable assigned duties or shifts, recommendations, reclassifications, etc., in exchange for sexual favors.

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Non-Discrimination/Harassment Policy (continued)

COUNTY RESPONSIBILITIES

The County recognizes its obligation to take prompt and appropriate action if an incident of discrimination or harassment occurs and to avoid or minimize the impact of any incident of discrimination or harassment. The County will pursue all reasonable preventive measures to ensure the work place; programs and services are free of discrimination or harassment. Pursuant to these obligations, the County shall do the following:

1. Investigate any complaint of discrimination, harassment or retaliation. The investigation of complaints will be prompt, thorough, objective and complete. The investigation will be conducted in a confidential manner as is compatible with a thorough investigation of the complaint and consistent with the rights of employees under the Personnel Rules and relevant laws.
2. Fully inform complainant of his/her rights and any obligation to secure those rights.
3. If a complaint of discrimination, harassment or retaliation is made, the accused will be informed of the allegations and given an opportunity to respond. If discrimination, harassment or retaliation is proven by the impartial investigation, prompt and appropriate remedial action will be taken. An employee found to have violated this policy will be subject to disciplinary action, up to and including termination. In addition, appropriate steps will be taken to prevent any further discrimination, harassment or retaliation. Action will be taken to remedy the complainant's loss, if any.
4. The County will disseminate this policy to all employees (i.e., regular, probationary, extra help, recurrent, and contract) and will include this policy in orientation packages for new employees. This policy applies to all elected officials, appointed department heads and exempt employees.

INDIVIDUAL RIGHTS AND RESPONSIBILITIES AND COMPLAINT PROCEDURE

The County does not intend to regulate or control any relationship or social interaction of individuals, which is freely entered into by all parties. However, the cooperation of individuals is necessary to insure a professional and healthy working environment where discrimination and harassment are not tolerated.

An individual should make it clear that he/she is not interested in, or flattered by, uninvited sexual advances.

An individual should make it clear that he/she is offended by actions or speech in violation of this policy.

If appropriate, and the individual feels comfortable in doing so, he/she should inform the offending party what specific conduct or behavior is offensive and unwelcome and request that any such harassing or discriminatory action/speech be stopped immediately.

If the individual does not believe it is appropriate to speak directly to the offending party, or does not feel comfortable doing so, the individual should promptly notify his/her immediate supervisor of the offending conduct, or the supervisor of the offending party.

If the individual is not comfortable in reporting the matter to his/her supervisor, or if the supervisor is the offending party, the individual should report the discrimination, harassment, or retaliation to a representative from the County's Equal Employment Opportunity (EEO) Office or to a Human Resources Officer, refer to Addendum 1 for contact information.

If an individual feels a complaint is not adequately resolved, he/she has the right to file a formal complaint of discrimination, harassment, or retaliation with the County's EEO Office. Any individual who believes he/she has been discriminated, harassed, or retaliated against has the right to file a complaint with the County's EEO Office. In the event the investigative findings of the EEO Office are not satisfactory to the complainant, the complainant may appeal the findings to the Human Resources Director.

The processing of complaints is accomplished according to the Complaint Resolution Procedure provided to new employees at orientation and included in the County's EEO Plan established by the Human Resources Department. Copies of the Complaint Resolution Procedure are available from the County's EEO Office.

Individuals who believe they have been discriminated, harassed, or retaliated against may also file a complaint of discrimination and seek legal remedies, including reinstatement and back pay, through state and federal agencies, refer to **Addendum 1** for specific contact information.

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Non-Discrimination/Harassment Policy (continued)

Non-Discrimination/Harassment Policy (06-01)
Addendum 1
Contact Information for Processing Complaints:

County of San Bernardino Equal Employment Opportunity Office	157 W. Fifth Street San Bernardino, CA 92415-0440	Telephone TDD	(909) 387-5584 (909) 387-6091	www.sbcounty.gov/hr/
County of San Bernardino Employee Relations Division (Human Resources Officers)	157 W. Fifth Street San Bernardino, CA 92415-0440	Telephone TDD	(909) 387-5564 (909) 387-6091	www.sbcounty.gov/hr/
California Department of Fair Employment and Housing (DFEH)	Los Angeles District Office 611 West Sixth Street, Suite 1500 Los Angeles, CA 90017 Santa Ana District Office 2101 East 4th Street, Suite 255-B Santa Ana, CA 92705-3855 Sacramento District Office 2000 O Street, Suite 120 Sacramento, CA 95814-5212 San Bernardino District Office	Telephone Toll-free FAX TTY Telephone Toll-free FAX TTY Telephone Toll-free FAX TTY Telephone	(213) 439-6799 (800) 884-1684 (213) 439-6715 (213) 892-6494 (800) 700-2320 (714) 558-4266 (800) 884-1684 (714) 558-6461 (800) 700-2320 (916) 445-5523 (800) 884-1684 (916) 323-6092 (800) 700-2320 (800) 884-1684	www.dfeh.ca.gov
U.S. Equal Employment Opportunity	Roybal Federal Building, 255 E. Temple Street, 4 th Floor, Los Angeles, CA 90012	Telephone Toll-free FAX TTY TTY	(213) 894-1000 (800) 669-4000 (213) 894-1118 (213) 894-1121 (800)-669-6820	www.eeoc.gov/