

<p>CHARGE OF DISCRIMINATION</p> <p>This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.</p>	<p>Charge Presented To: Agency(ies) Charge No(s):</p> <p style="text-align: center;">EEOC 32F-2024-00013</p> <p style="text-align: center;">FEPA NDE-38721</p>
<p>North Dakota Department of Labor and Human Rights and EEOC</p> <p style="text-align: center;"><i>State or local Agency, if any</i></p>	

On August 2, 2023, I was issued a Written Warning by Dr. Faidely for a violation of the following Respondent Policies: DE (Staff Code of Conduct); Policy ACDA (Responsible Use) and Policy DEBA (Confidentiality)

On August 3, 2023, I was written up by Dr. Faidely, for asking Information Technology (IT) about ownership of a document I was no longer able to access.

On August 3, 2023, my hours of work were changed; I was stripped of all of job duties; I no longer had email or internet access; I was not allowed to call out or speak to anyone; and Dr. Faidley told all District employees, they were no longer allowed to talk to me, and I was not allowed to talk to them.

On August 3, 2023, Dr. Faidley told me I was not allowed to send any emails, without his permission.

On August 3, 2023, Dr. Faidley told me to "just resign."

As of September 25, 2023, I was re-assigned to work in the Warehouse, and told I was now the Warehouse Worker.

After I was moved to the Warehouse, I asked Human Resources (HR) if I would be able to wear jeans and a T-shirt. HRs response was "absolutely not," I had to report to the Warehouse in business casual clothing.

I referred to a departed employee as a "disgruntled employee" and was told by HR I could not do that.

I was subjected to adverse and/or less favorable terms, conditions, or privileges of employment, based on my sex and/or my participation in a protected activity when:

I referred to a departed employee as a "disgruntled employee" and was told by HR I could not do that; however, Kevin Klassen did the same thing in a meeting where HR was present but was not told the comment was not allowed.

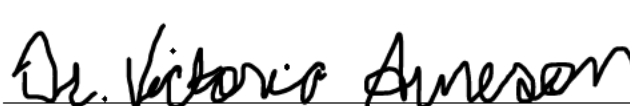
On August 3, 2023, my hours of work were changed; I was stripped of all of job duties; I no longer had email or internet access; I was not allowed to call out or speak to anyone; and Dr. Faidley told all District employees, they were no longer allowed to talk to me, and I was not allowed to talk to them, when another District employee, who is not of my sex, was allowed to sit down with the School Board and Dr. Faidley to work out his issues.

On July 26, 2023, I complained to Dr. Faidley regarding the way he treated me, and requested to take personal time off, to decide if I wished to remain employed with the Respondent. Subsequently, I was disciplined, and demoted, in retaliation for my complaint. I was compelled to resign from employment, based on my sex and/or in retaliation for my participation in a protected activity.

II. Personal Harm: I was subjected to hostile working environment harassment, based on my sex and/or my participation in a protected activity. I was subjected to adverse and/or less favorable terms, conditions or privileges of employment, based on my sex and/or my participation in a protected activity. I was compelled to resign from my employment, based on my sex and/or my participation in a protected activity.

III. Respondents Reason for Adverse Action: Unknown.

IV. Discrimination Statement: I believe I have been discriminated and retaliated against, in violation of the Title VII of the Civil Rights Act of 1964, as amended and the North Dakota Human Rights Act (North Dakota Century Code (N.D.C.C.) ch. 14-02.4), as amended.

<p>I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.</p>	<p>NOTARY – <i>When necessary for State and Local Agency Requirements</i></p>
<p>I declare under penalty of perjury that the above is true and correct.</p>	<p>I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.</p>
<p> _____ Date Charging Party Signature</p>	<p>SIGNATURE OF COMPLAINANT</p> <p>SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year)</p>

PRIVACY ACT STATEMENT: Under the Privacy Act of 1974, Pub. Law 93-579, authority to request personal data and its uses are:

1. **FORM NUMBER/TITLE/DATE.** EEOC Form 5, Charge of Discrimination (11/09).
2. **AUTHORITY.** 42 U.S.C. 2000e-5(b), 29 U.S.C. 211, 29 U.S.C. 626, 42 U.S.C. 12117, 42 U.S.C. 2000ff-6.
3. **PRINCIPAL PURPOSES.** The purposes of a charge, taken on this form or otherwise reduced to writing (whether later recorded on this form or not) are, as applicable under the EEOC anti-discrimination statutes (EEOC statutes), to preserve private suit rights under the EEOC statutes, to invoke the EEOC's jurisdiction and, where dual-filing or referral arrangements exist, to begin state or local proceedings.
4. **ROUTINE USES.** This form is used to provide facts that may establish the existence of matters covered by the EEOC statutes (and as applicable, other federal, state or local laws). Information given will be used by staff to guide its mediation and investigation efforts and, as applicable, to determine, conciliate and litigate claims of unlawful discrimination. This form may be presented to or disclosed to other federal, state or local agencies as appropriate or necessary in carrying out EEOC's functions. A copy of this charge will ordinarily be sent to the respondent organization against which the charge is made.
5. **WHETHER DISCLOSURE IS MANDATORY; EFFECT OF NOT GIVING INFORMATION.** Charges must be reduced to writing and should identify the charging and responding parties and the actions or policies complained of. Without a written charge, EEOC will ordinarily not act on the complaint. Charges under Title VII, the ADA or GINA must be sworn to or affirmed (either by using this form or by presenting a notarized statement or unsworn declaration under penalty of perjury); charges under the ADEA should ordinarily be signed. Charges may be clarified or amplified later by amendment. It is not mandatory that this form be used to make a charge.

NOTICE OF RIGHT TO REQUEST SUBSTANTIAL WEIGHT REVIEW

Charges filed at a state or local Fair Employment Practices Agency (FEPA) that dual-files charges with EEOC will ordinarily be handled first by the FEPA. Some charges filed at EEOC may also be first handled by a FEPA under worksharing agreements. You will be told which agency will handle your charge. When the FEPA is the first to handle the charge, it will notify you of its final resolution of the matter. Then, if you wish EEOC to give Substantial Weight Review to the FEPA's final findings, you must ask us in writing to do so within 15 days of your receipt of its findings. Otherwise, we will ordinarily adopt the FEPA's finding and close our file on the charge.

NOTICE OF NON-RETALIATION REQUIREMENTS

Please **notify** EEOC or the state or local agency where you filed your charge **if retaliation is taken against you or others** who oppose discrimination or cooperate in any investigation or lawsuit concerning this charge. Under Section 704(a) of Title VII, Section 4(d) of the ADEA, Section 503(a) of the ADA and Section 207(f) of GINA, it is unlawful for an *employer* to discriminate against present or former employees or job applicants, for an *employment agency* to discriminate against anyone, or for a *union* to discriminate against its members or membership applicants, because they have opposed any practice made unlawful by the statutes, or because they have made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under the laws. The Equal Pay Act has similar provisions and Section 503(b) of the ADA prohibits coercion, intimidation, threats or interference with anyone for exercising or enjoying, or aiding or encouraging others in their exercise or enjoyment of, rights under the Act.