



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

New Orleans Field Office

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[REDACTED]

[REDACTED]

Charging Party

[REDACTED]

Respondent

DETERMINATION

Under the authority vested in me by the Commission's Procedural Regulation, I issue on behalf of the Commission the following determination as to the merits of the subject charge filed under the Title VII of the Civil Rights Act of 1964, as amended (Title VII).

Respondent is an employer within the meaning of the Title VII and timeliness and all other requirements for coverage have been met.

On January 12, 2022, [REDACTED] Charging Party, filed a charge of discrimination alleging that Respondent, [REDACTED] Title VII when it [REDACTED] subjected her to race-based discrimination and harassment by her immediate supervisor and when it retaliated against her for protesting and complaining about the discrimination and harassment. On February 19, 2022, Charging Party amended her Charge to include an allegation that Respondent retaliated against her by transferring Charging Party.

Respondent contends that it did not subject Charging Party to discrimination or harassment based on her race, White. Respondent contends that it investigated her complaints and determined there was no evidence to support that Charging Party experienced discrimination. Respondent contends that it began receiving complaints from school employees that Charging Party was creating discord among staff. Therefore, on February 3, 2022, Respondent transferred Charging Party from a teaching position to a librarian position.

The evidence supports reasonable cause to find that the Respondent retaliated against Charging Party because she engaged in protected activity by transferring her to a position with diminished responsibilities in violation of Title VII. No determination is made with regard to whether there is reasonable cause to find that the Respondent violated Title VII by discriminating against Charging Party based her race (White).

This determination does not conclude the processing of this charge. Upon finding that there is reason to believe that violations have occurred, the Commission attempts to eliminate the alleged unlawful practices by informal methods of conciliation. Therefore, the Commission now invites the parties to join with it in reaching a just resolution of this matter. The confidentiality provisions of Sections 706 and 709 of Title VII and Commission Regulations apply to information obtained during conciliation.

If you wish to participate in conciliation, please email Enforcement Supervisor, [REDACTED], at [REDACTED], within seven (7) calendar days from the date of this Letter of Determination. If Respondent fails to advise the EEOC within 7 calendar days of this Letter of Determination that it is interested in conciliation, the EEOC may infer that Respondent does not wish to participate in informal efforts to resolve this matter.

If the Respondent declines to discuss settlement or when, for any other reason, a settlement acceptable to the Director is not obtained, the Director will inform the parties and will refer the matter to the Legal Unit for a litigation determination.

You are reminded that Federal Law prohibits retaliation against persons who have exercised their right to inquire or complain about matters they believe may violate the law. Discrimination against persons who have cooperated in Commission investigations is also prohibited. These protections apply regardless of the Commission's determination on the merits of the charge.

On Behalf of the Commission:

[REDACTED]

Date

[REDACTED]