

### **Information to Collect**

The following is a general listing of items that may be needed in certain types of cases to provide evidence for or against an allegation of discrimination. This listing should be used in addition to and not in lieu of any other information that the Complainant or Respondent deem pertinent to their case. This list does not contain all of the different types of cases that are filed with the Maryland Commission on Civil Rights (MCCR).

**\*\*\*\*NOTE: It is the sole responsibility of the parties involved to determine what information is needed to substantiate their position. MCCR will not assist or guide either party in the development of their case.**

*In a "Failure to Hire" case:*

1. Application Form
2. Complainant's Application
3. Successful Applicant's Application Form
4. Other Applicants Application Forms
5. List of Decision Maker(s). Be sure to include their name, protected class in regard to complaint (race, sex, national origin, religion, sexual orientation, disability, age, or color) if known, tenure with Respondent and contact information.
6. Decision Maker(s) Interview notes
7. Job Description
8. Position Qualifications
9. Hiring Criteria
10. Rating Forms
11. List of persons hired in the position during the decision maker(s) tenure. Be sure to include their name, protected class in regard to complaint (race, sex, national origin, religion, sexual orientation, disability, age, or color) if known, date of hire, date of leaving and reasons for leaving, and contact information.
12. Job/Position Advertisement
13. Hiring Policy/Process

*In a "Failure to Promote" case:*

1. Application Form
2. Complainant's Application
3. Successful Applicant's Application Form
4. Other Applicants Application Forms
5. List of Decision Maker(s). Be sure to include their name, protected class in regard to complaint (race, sex, national origin, religion, sexual orientation, disability, age, or color) if known, tenure with Respondent and contact information.
6. Decision Maker(s) Interview notes
7. Job Description
8. Position Qualifications
9. Promotion Criteria
10. Rating Forms

11. List of persons promoted during the decision maker(s) tenure. Be sure to include their name, protected class in regard to complaint (race, sex, national origin, religion, sexual orientation, disability, age, or color) if known, date of hire, date of leaving and reasons for leaving, position promoted from and position promoted to, and contact information.
12. Job/Position Advertisement
13. Promotion Policy/Process
14. Complainant's Performance Evaluations
15. Successful Applicant's Performance Evaluations
16. Description of Complainant's work history at company, to include positions held, dates held, position duties, and name and contact for all supervisors with whom Complainant reported to.
17. Description of Successful Applicant's work history at company, to include positions held, dates held, position duties, and name and contact for all supervisors with whom Complainant reported to.

*In a "Termination" or "Discipline" case:*

1. Termination and/or Discipline Letter
2. Complainant's Personnel File
3. Supervisor's notes on Complainant
4. Records showing Complainant's unsatisfactory performance
5. Listing of disciplinary actions regarding Complainant
6. Any internal decisions or appeals relating to termination or discipline
7. List of Decision Maker(s). Be sure to include their name, protected class in regard to complaint (race, sex, national origin, religion, sexual orientation, disability, age, or color) if known, tenure with Respondent and contact information.
8. Listing of any other employees involuntarily terminated or disciplined by the Decision Maker(s) listed in 7. Be sure to include their name, protected class in regard to complaint (race, sex, national origin, religion, sexual orientation, disability, age, or color) if known, discipline, reasons for discipline and date of discipline.
9. Personnel files of any other employees listed in the complaint as being treated more favorable (if applicable).
10. Termination and/or Discipline Policy

*In a "Harassing Conduct" case:*

1. Complainant's Personnel File
2. Alleged Harasser's Personnel File
3. Harassment Policy
4. Reports of Harassment made by Complainant against Harasser
5. Reports of Harassment made by other employees against Harasser
6. Actions taken by Management in regard to alleged harassment
7. Listing of witnesses to the harassment. Be sure to include names, titles, tenure, and contact information.

*In a "Retaliation" case:*

1. Proof of an adverse employment action taken against Complainant
2. Proof of Complainant participating in a protected activity
3. Termination and/or Discipline Letter
4. Complainant's Personnel File
5. Supervisor's notes on Complainant
6. Records showing Complainant's unsatisfactory performance
7. Listing of disciplinary actions regarding Complainant
8. Any internal decisions or appeals relating to termination or discipline
9. List of Decision Maker(s). Be sure to include their name, protected class in regard to complaint (race, sex, national origin, religion, sexual orientation, disability, age, or color) if known, tenure with Respondent and contact information.
10. Listing of any other employees involuntarily terminated or disciplined by the Decision Maker(s) listed in 7. Be sure to include their name, protected class in regard to complaint (race, sex, national origin, religion, sexual orientation, disability, age, or color) if known, discipline, reasons for discipline and date of discipline.
11. Personnel files of any other employees listed in the complaint as being treated more favorable (if applicable).
12. Termination and/or Discipline Policy
13. Witnesses to the allegations contained in the complaint

*In a "Constructive Discharge" case:*

1. Complainant's Personnel File
2. Supervisor's notes on Complainant
3. Records showing Complainant's Performance
4. Complainant's Resignation Letter
5. Witnesses to the allegations contained in the complaint
6. Listing of disciplinary actions regarding Complainant
7. Job Description for Complainant

*In a "Pay Difference" case:*

1. Complainant's Personnel File
2. Job Descriptions for position(s) in question. To include listing of all duties, hours per week spent on each duty, degree of skill or experience required for each duty, level of education required for each duty, work environment, nature and extent of required supervision, and nature and extent of independent decision-making required in each position.
3. Hiring Qualifications for each position
4. Decision Maker(s) of pay for each position in question.
5. Listing of all past and current employees within that position(s) and their pay.