

GATHERING EVIDENCE

It is not only the responsibility of the Investigator to gather information. You must also collect evidence.

This guide will help you find documents that may help your case. It will also show you some important things to remember.

GETTING DOCUMENTS THAT HELP SHOW THAT UNEQUAL TREATMENT HAPPENED

The other party may have documents that you believe will help support your case. These types of documents must show that:

- a) under similar circumstances you were treated differently when compared to others.

AND

- b) this treatment was different because of your membership in the protected class(es) stated in your complaint.

If you know of any documents (like employee performance reports) that the other party has that may help your case, tell the Investigator. The Investigator will be able to get copies of documents from the

other party. You are not allowed to directly request documents from the other party at this point.

It is your responsibility to tell the Investigator about any documents or files that may help your case.

GATHERING WITNESS STATEMENTS

If you think that a witness statement might help strengthen your case, you may ask the witness to write down what he or she saw, read, or heard. Remember that witnesses must have first-hand knowledge of the information they are reporting. For example, it would **NOT** strengthen your case to have a witness who had only heard about what happened to you from other people. Witnesses must have been present when a discriminatory action happened or must have directly heard the discriminatory comments relating to your case.

Have your witness sign and date the statement. Be sure to include his or her address and telephone number.

If the witness seems nervous about providing a statement because he or she worries about retaliation (for example, the witness fears being fired for speaking against his or her employer), remind the witness that the Equal Opportunities Ordinance protects them after they speak out against discrimination.

REMEMBER

FIRING OR TREATING SOMEONE UNFAVORABLY FOR EITHER SPEAKING OUT AGAINST DISCRIMINATION OR FILING A COMPLAINT IS ILLEGAL. IT IS ALSO ILLEGAL TO THREATEN OR INTERFERE WITH A PERSON'S RIGHT TO OPPOSE DISCRIMINATION.

Please feel free to contact the Department of Civil Rights, Equal Opportunities Division, during business hours, Monday-Friday, 8:00 am-4:30 pm at (608) 266-4910 with any questions that you have.

PLEASE NOTE:

If you need materials in alternate formats or other accommodations in order to access this service, please contact the Department of Civil Rights, Equal Opportunities Division.

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GATHERING EVIDENCE: HOW TO SUPPORT YOUR CASE DURING THE INVESTIGATION PROCESS

