

## EO INVESTIGATOR/CONCILIATOR 1-3

### CLASS DESCRIPTION

#### General Responsibilities:

This class series is designed to describe professional work within the City's Department of Civil Rights. Employees in this class function as an investigator and conciliator/mediator. The work involves performing intake activities, providing outreach and educational services as assigned, investigating formal charges of discrimination, preparing decisions on cases, and providing mediation/conciliation services and is performed under the supervision of the Equal Opportunities Manager.

This series is structured to provide for career progression from EO Investigator/Conciliator 1 to 2 based on increased employee expertise and responsibility, independence of action, complexity of projects, and experience with and knowledge of City, State, and Federal equal employment opportunities laws, rules and regulations. Advancement to the 3 level is not automatic but depends on the needs of the organization as well as the skill and ability of the employee.

The various levels of the EO Investigator/Conciliator series are structured as follows:

#### *EO Investigator/Conciliator 1 (CG 18, Range 04)*

This is entry-level professional investigation, conciliation, mediation, and outreach work for the Department of Civil Rights. Employees in this class function as an entry level investigator and conciliator. The work is performed under the close to limited supervision of the Equal Opportunities Manager, and is reviewed at all stages through conferences and review of proposed decisions, settlements, and other written materials.

#### *EO Investigator/Conciliator 2 (CG 18, Range 06)*

This is journey level professional investigation, conciliation, mediation, and outreach work for the Department of Civil Rights. The incumbent is expected to independently perform all job functions and the work is performed under the general supervision of the Equal Opportunities Manager.

#### *EO Investigator/Conciliator 3 (CG 18, Range 08)*

This is advanced level professional investigation, conciliation, mediation, and outreach work for the Department of Civil Rights. The work involves independently performing the full range of investigation, conciliation, and mediation activities, serving as a mentor to lower-level investigators. The incumbent is expected to independently perform all job functions and the work is performed under the general supervision of the Equal Opportunities Manager.

## Examples of Duties and Responsibilities:

### *EO Investigator/Conciliator 1*

Provide complaint intake services to the public. Interview prospective complainants by phone or in person. Work with Equal Opportunities Manager to determine if the allegation(s) constitute a complaint of discrimination as defined by Madison Equal Opportunities Ordinance and Commission Rules and whether the Commission has jurisdiction over the case. Make referrals to other agencies as appropriate and respond to questions about the complaint process. Draft or assist complainants in drafting complaints. Review relevant rules, ordinances and procedures with complainants, their legal representatives or advocates at intake.

Review discrimination cases assigned by the manager. Prepare an investigative questionnaire for the parties (standard plus case-specific questions), have the manager review it, and have it mailed to the parties.

Use investigative techniques to gather information and documents in order to make a determination of “probable cause,” “no probable cause,” or “probable cause/no probable cause.” Analyze information gathered to ensure a thorough investigation. Discuss cases periodically with the manager and prior to writing Initial Determination.

Conduct early mediations. If not settled, draft an Initial Determination of “probable cause” or “no probable cause” based on information; previous court decisions; and State, Federal and City law. Review draft with manager and make changes and/or collect additional information as recommended. After the decision is issued, keep track of appeal time. If no appeal is filed, close the case. If an appeal is filed, prepare the paperwork necessary to move the case to the Hearing Examiner for review.

Provide mediation/conciliation services to resolve discrimination complaints. Receive and review complaints. Contact interested parties to assess potential for dispute settlement. Analyze pertinent issues and discuss complaint with parties as appropriate. Advise parties of the impact of settlement and the required steps if settlement is not reached. May assist parties in formulating terms of settlement. Prepare the settlement agreement, if appropriate. Maintain related documentation. Provide conciliation services to parties at any phase of the complaint process upon referral.

Participate in community outreach and training activities. Develop information and education materials. Develop and present training. Attend community events to provide information, technical assistance and materials about the Equal Opportunities Ordinance and the services offered by the Department. Provide technical assistance to the public and make educational presentations.

Conciliate cases, as assigned, after a “probable cause” determination. Contact parties to see if they are interested in meeting to attempt a settlement. Hold in-person meetings with all parties, attorneys, advocates, etc. and/or hold conference calls or individual phone calls. Use research, mediation and negotiation skills to encourage parties to reach a mutually satisfactory solution. If appropriate, draft agreements in terms understandable by all parties. Review draft settlements with manager. Obtain signatures and distribute settlements to

appropriate parties. Have case dismissed and monitor to determine compliance or, if no settlement is reached, certify case to public hearing.

Perform related work as required.

#### *EO Investigator/Conciliator 2*

Perform all work of an EO Investigator/Conciliator 1 with greater professional expertise and independent responsibility for investigating and mediating/conciliating disputes. Employees at this level should independently conduct investigations, including preparing questions and drafting Initial Determinations, under the general supervision of the Equal Opportunities Manager.

Perform related work as required.

#### *EO Investigator/Conciliator 3*

Perform all work of an EO Investigator/Conciliator 2 with the application of broader professional expertise and independent responsibility for the full range of EO investigation, conciliation, and mediation activities, and providing outreach services.

Conduct research on Equal Opportunity laws, ordinances, and cases. Make recommendations as to potential areas for the City to update its EO Ordinance based on trends in other areas.

Provide leadership, technical assistance, and guidance to lower-level staff as may be required.

Perform related work as required.

### QUALIFICATIONS

#### Knowledge, Skills and Abilities:

##### *EO Investigator/Conciliator 1*

Knowledge of applicable Federal statutes, state laws, City Ordinances, regulations, policies, court cases and legal resources relating to equal opportunity, civil rights, affirmative action and hate crimes. Knowledge of the principles and practices of dispute resolution, mediation and negotiation as they relate to equal opportunity, civil rights, affirmative action and hate crimes. Knowledge of training principles and practices, community outreach and human resource management principles and practices. Working knowledge of computer applications, particularly Microsoft Office applications and Internet research tools. Demonstrated listening and analytical skills. Ability to interview individuals and explain complex situations in simple, easy to understand terms for a variety of education levels and audiences. Ability to research, gather and analyze factual data and information relevant to equal opportunities/civil rights. Ability to communicate effectively, both orally and in writing. Ability to present information effectively to individuals and groups and think quickly on one's feet. Ability to apply Madison General Ordinance 39.03 to factual situations and determine if a violation has occurred. Ability to prepare written, narrative and statistical

reports. Ability to effectively prepare, present and support findings and determinations. Ability to communicate with individuals from diverse backgrounds in high conflict, high emotion, hostile environments and maintain own composure. Ability to develop and maintain effective working relationships with groups of diverse backgrounds, community organizations, businesses and governmental agencies. Demonstrated ability to function as a team member, including the ability to offer and accept constructive criticism. Ability to maintain neutrality when investigating, mediating and/or conciliating cases and dealing with parties to complaints. Demonstrated ability to mediate and negotiate complex, highly emotional situations. Ability to develop and oversee the maintenance of effective record-keeping systems. Ability to exercise judgment and initiative with limited supervision. Ability to maintain adequate attendance. [Note: For specific positions, special language abilities may be required.]

### *EO Investigator/Conciliator 2*

All of the above but substituting the following for the knowledge section: Working knowledge of applicable Federal statutes, state laws, City Ordinances, regulations, policies, court cases and legal resources relating to equal opportunity, civil rights, affirmative action and hate crimes. Working knowledge of the principles and practices of dispute resolution, mediation and negotiation as they relate to equal opportunity, civil rights, affirmative action and hate crimes. Working knowledge of training principles and practices, community outreach and human resource management principles and practices. Thorough knowledge of computer applications, particularly Microsoft Office applications and Internet research tools.

### *EO Investigator/Conciliator 3*

All of the above, but substituting the following for the knowledge section: Thorough knowledge of applicable Federal statutes, state laws, City Ordinances, regulations, policies, court cases and legal resources relating to equal opportunity, civil rights, affirmative action and hate crimes. Thorough knowledge of the principles and practices of dispute resolution, mediation and negotiation as they relate to equal opportunity, civil rights, affirmative action and hate crimes. Thorough knowledge of training principles and practices, community outreach and human resource management principles and practices. Ability to lead lower-level staff in complaint processing and writing of determinations. Ability to assist staff in conducting research. Ability to maintain adequate attendance.

### Training and Experience:

Generally, positions in this classification will require:

### *EO Investigator/Conciliator 1*

Graduation from an accredited college or university with a bachelor's degree in business administration, political science, or other related field. Other combinations of training and/or experience which can be demonstrated to result in the possession of the knowledge, skills and abilities necessary to perform the duties of these positions will also be considered.

*EO Investigator/Conciliator 2*

At least two years of professional investigation/conciliation experience equivalent to that gained as an EO Investigator/Conciliator 1 with the City of Madison. Such experience would normally be obtained following graduation from an accredited college or university with a bachelor's degree in business administration, political science, or other related field. Other combinations of training and/or experience which can be demonstrated to result in the possession of the knowledge, skills and abilities necessary to perform the duties of these positions will also be considered.

*EO Investigator/Conciliator 3*

At least two years of professional investigation/conciliation experience equivalent to that gained as an EO Investigator/Conciliator 2 level with the City of Madison. Such experience would normally be obtained following graduation from an accredited college or university with a bachelor's degree in business administration, political science, or other related field. Other combinations of training and/or experience which can be demonstrated to result in the possession of the knowledge, skills and abilities necessary to perform the duties of these positions will also be considered.

Specific training and experience requirements will be established at the time of recruitment.

Necessary Special Qualifications:

*All Levels:*

Possession of a valid Wisconsin driver's license or the ability to meet the transportation needs of the position.

Specific positions may have a bilingual requirement. Such requirements will be established at the time of recruitment.

<b>Department/Division</b>	<b>Comp. Group</b>	<b>Range</b>
EOC Investigator/Conciliator 1	18	04
EOC Investigator/Conciliator 2	18	06
EOC Investigator/Conciliator 3	18	08

Approved: \_\_\_\_\_  
Brad Wirtz  
Human Resources Director  
Date