

SHRC APPEALS PANEL WORKSHEET

Date: _____

Case Name/#: _____

Panel Members: _____

Statement of Appeals Panel Objective:

The SHRC receives appeals where SOCR has determined there is No Reasonable Cause for a finding of discrimination in the case (pursuant to **SHRR 46-030. NO REASONABLE CAUSE—Right to Appeal**). The Charging Party can file an appeal of SOCR's Findings with SHRC within 30 days of the issuance of the decision. If the Appeal meets the legal standards for an appeal, SHRC will schedule a hearing of the appeal to determine whether SOCR's decision should be affirmed or returned to the SOCR office for further investigation. The function of the Commission is to determine: 1) whether or not a case warrants further investigation; 2) decide whether or not to order the Seattle Office for Civil Rights to re-open an investigation.

- The Appeal Panel Members certify that they have no conflicts of interest that would interfere with their ability to judge fairly and impartiality.
- The Appeal Panel Members promise to judge this case fairly and impartially to all parties and persons.
- The Appeal Panel Members will adhere to Civil Rights laws that SOCR enforces and apply these ordinances and any rules and regulations promulgated under authority of these ordinances.

Step 1:

The Appeal must have been timely submitted and state the specific grounds for the Appeal.

- A. Determine if the Appeal was submitted by the charging party within 30 days from the date of Director's signature on determination. A determination is signed when the Director places her signature on the determination and it is mailed to the parties. (SHRR 46-030(1))
- Yes
 - No

Notes:

- B. Does the Statement of Appeal specifically state the grounds for the Appeal, either SOCR's investigation was inadequate of the finding was not supported by a preponderance of the evidence? (**SHRR 46-030 (1)**)
- Yes
 - No

Notes:

Step 2:

The SHRC is tasked to review only two factors in determining whether the decision should be affirmed or remanded back to SOCR for further investigation (**SHRR 46-030(4)**). SHRC **MAY NOT** consider new evidence raised for the first time on appeal, consider evidence not raised in the appeal, consider new allegations that were not identified in the complaint, make a finding based on the merits of the case.

- A. Was the investigation inadequate based on the prima facie elements?**

Were the prima facie elements met?

- Element 1: (fill in blank):
 - Yes
 - No

- Element 2: (fill in blank):
 - Yes
 - No

- Element 3: (fill in blank):
 - Yes
 - No

- Element 4: (fill in blank):
 - Yes
 - No

Notes:

B. Was SOCR's finding supported by a preponderance of the evidence?

- Does the evidence support that it is more probably true than not true that there was no discrimination? (more than 50% likely)
 - Yes
 - No

Notes:

Step 3:

After carefully reviewing the appeal in its entirety, the SHRC Appeals panel:

- Affirms SOCR's No Reasonable Cause Determination
- Remands back to SOCR for further investigation

Notes on Remand:

Signatures:

Chair: Marsha Mavunkel

City Attorney: Sara O'Connor-Kris

Commissioner:

Commissioner:

Commissioner:

Commissioner: