



OFFICE OF EXTERNAL CIVIL RIGHTS COMPLIANCE

WASHINGTON, D.C. 20460

April 29, 2025

In Reply Refer to:

EPA Complaint No. 11AD-24-R4

Johnnie Barrett, Director
Raleigh Area Office
U.S. Equal Employment Opportunity Commission
434 Fayetteville Street, Suite 700
Raleigh, North Carolina 27601
Johnnie.Barrett@eeoc.gov

Re: Referral of Administrative Complaint

Dear Director Barrett:

On June 26, 2024, the U.S. Environmental Protection Agency's Office of External Civil Rights Compliance (OECRC) received a complaint from an employee of the North Carolina Department of Environmental Quality (NCDEQ). The complaint solely alleged employment discrimination by NCDEQ based on age, race, religion, national origin, and causing medical disability from multiple incidents between April 2023 and June 2024. OECRC has determined that it is rejecting and referring this complaint to the U.S. Equal Employment Opportunity Commission (EEOC) Raleigh Area Office for appropriate action in accordance with 40 C.F.R. § 7.120(a) and closing the matter as of the date of this letter.¹

Pursuant to EPA's nondiscrimination regulation,² OECRC has limited jurisdiction over employment discrimination claims concerning recipients of EPA financial assistance. The allegations regarding employment discrimination as described above do not fall within OECRC's jurisdiction. The complaint alleges that certain NCDEQ personnel created a hostile work environment for the Complainant through workplace harassment due to the Complainant's age, race, religion, and national origin, and resulting in medical disability. Accordingly, OECRC is referring this matter to your Raleigh Area Office³ for review.

OECRC has determined that EEOC's investigation and resolution process is comparable to the resolution process used by OECRC. Accordingly, Complainant may refile a complaint within sixty (60)

¹ See 28 C.F.R. part 42 subpart H [specifically 28 C.F.R. §§ 42.605(d) and (e)], 29 C.F.R. part 1691 [specifically 29 C.F.R. § 1691.5(e).] See also 28 C.F.R. § 37.6(b) and 29 C.F.R. § 1640.6(c).

² See 40 C.F.R. §§ 5.500(a)(1), 7.35(a)(6).

³ See OECRC Case Resolution Manual, Section 1.7(3) at 13, https://www.epa.gov/system/files/documents/2025-01/case-resolution-manual-update_final_jan-2025.pdf.

calendar days of the EEOC's decision or informal resolution if that decision/informal resolution does not resolve the civil rights allegations. If the complaint is refiled, OECRC will conduct another preliminary review to determine acceptance, rejection, or referral. OECRC generally anticipates adopting a decision issued by another federal agency regarding the same allegation. OECRC may evaluate whether any additional action(s) by EPA is/are needed, in this case, as a result of EEOC's finding.

We have informed the Complainant and NCDEQ that the complaint is being referred to EEOC and provided your contact information. A copy of our rejection and referral letter as well as the original complaint and additional supporting documentation are enclosed. If you have any questions, please feel free to contact Kurt Temple by email at temple.kurt@epa.gov.

Sincerely,

Susan Park
Deputy Assistant Administrator
Office of Environmental Justice and External Civil Rights

Enclosures

cc: Angelia Talbert-Duarte
Associate General Counsel
Civil Rights & Finance Law Office

Jeaneanne Gettle
Acting Deputy Regional Administrator
Deputy Civil Rights Official
U.S. EPA Region 4

Suzanne G. Rubini
Acting Regional Counsel
U.S. EPA Region 4