

# INTERNATIONAL ASSOCIATION OF MACHINISTS AND AEROSPACE WORKERS DISTRICT LODGE 19

OFFICE OF PRESIDENT DIRECTING GENERAL CHAIRMAN: J. MICHAEL PERRY

Subject: Challenging a Religious or Medical Accommodation that is Denied or Unacceptable or Unreasonable Accommodations

October 15, 2021

We have explored the legal options for you to challenge a religious or medical accommodation that is denied or that you find unacceptable or unreasonable and we want you to know the following. Again, the following applies only to challenging the denial of a request for a religious or medical accommodation or the type of accommodation offered to you. It does not apply to challenging the requirement that you be vaccinated or be granted an accommodation in the first place.

If you wish to challenge the denial of an accommodation or the type of accommodation offered to you by your Railroad employer, based on a medical condition or religious objection, you have the individual right to file a Charge with the U.S. Equal Employment Opportunity Commission ("EEOC"). There are no fees or costs for filing an EEOC Charge and hiring an attorney is not required. If you decide to file a Charge, here is what you will need to know and can expect:

- The deadline for filing an EEOC charge is generally 300 days, but is only 180 days in some states, so if you decide to file, we encourage you to do so as soon as possible.
- The initial steps can be accomplished online. Filing will require you to register an account with the EEOC's website and provide an email address and other personal information.
- The EEOC will likely ask that you schedule an appointment for a telephone call with an EEOC agent to discuss your situation before filing a Charge. There may not be any appointments available for a telephone call the same day or week that you start the process. If you are close to the 300th day ( or 180th day) deadline, the EEOC will allow you to bypass waiting for a telephone appointment. No one should be close to the deadline now as of October 2021 because the Railroads have only imposed the mandates in the last few weeks.
- Filing a Charge requires you to sign and date the Charge form. To be sure it is filed, check that you have been assigned a case number. Filing an Inquiry is not the same as filing a Charge. Make sure you have completed the process.
- The EEOC will notify your employer that you have filed a Charge against it. The Charge filing process is **NOT** anonymous. However, federal law forbids an employer from retaliating against you for filing a Charge.
- After you have filed, an EEOC investigator will contact you for further information and may request to conduct an interview or request additional documents from you. You should timely cooperate with the EEOC investigator if you wish your case to be continued. You can request a withdrawal at any time.

- Be advised, EEOC investigations often take many months. You can track the status of your case by registering an account on the online EEOC Public Portal.
- You may also choose to file with a state or local Civil Rights Commission, Division, or similar agency if there is one in your area instead of the EEOC. There is no need to file with more than one agency.
- Below is a sample screenshot from the EEOC's website.

Instructions on the Charge filing process can be found at the following link:

<https://www.eeoc.gov/how-file-charge-employment-discrimination>

U.S. Equal Employment Opportunity Commission

Welcome. Log Out

Filing with EEOC

1 File a Complaint 2 Online Inquiry 3 Schedule an Interview 4 Supplemental Information

You have completed two of four required parts needed to officially file a charge of discrimination

**Inquiry Submitted**  
Your inquiry has been successfully submitted to EEOC. You should note down the following inquiry number \_\_\_\_\_ and refer to it when contacting the EEOC.

**Online Scheduling**  
You are now ready to schedule an interview with an EEOC representative, and will be directed to the scheduling calendar of the appropriate office when you click "Schedule an Interview" below. You must schedule an interview; we will not take any action on your inquiry. Based on the information you provided, you can schedule an interview at the following office(s):  
Washington Field Office

My Cases Schedule an Interview

Sincerely,

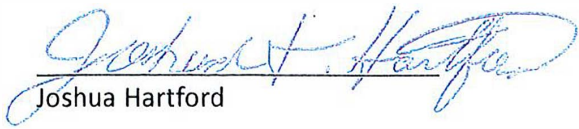
*J. Michael Perry*

J. Michael Perry  
President/Directing General Chairman  
District 19

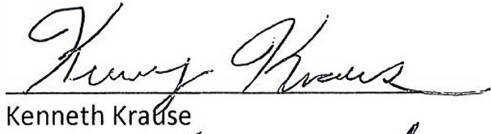
SIGNATURES:

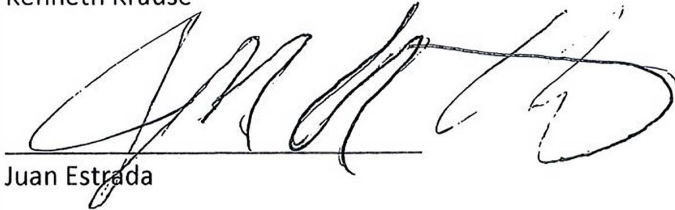
*Kyle R. Loos*  
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Kyle Loos

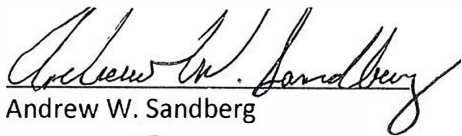
*Richard Nadeau, Jr.*  
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Richard Nadeau, Jr.

  
Joshua Hartford

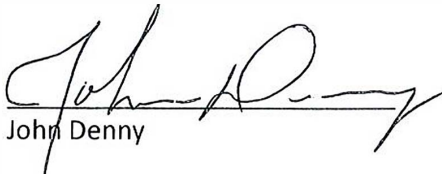
  
Jason Gibbs

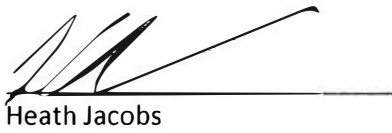
  
Kenneth Krause

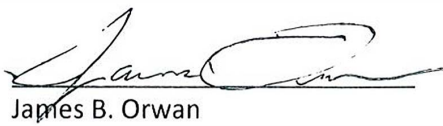
  
Juan Estrada

  
Andrew W. Sandberg

  
Derrick Battle

  
John Denny

  
Heath Jacobs

  
James B. Orwan