

CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act of 1974.

See attached Privacy Act Statement and other information before completing this form.

CHARGE PRESENTED TO:

EEOC

California Civil Rights Department

AGENCY CHARGE NO.

451-2024-01587

Name (*indicate Mr., Ms., Mrs., Miss, Mx., Dr., Hon., Rev.*): Mr. Byron J. Wilson

Home Phone: (910) 528-1726

Year of Birth: 1980

Street Address: 157 S. Los Robles Ave. #7

PASADENA, CA 91101

Named below is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency that I believe discriminated against me or others.

Name: THE UNIVERSITY OF TEXAS AT AUSTIN

No. Employees, Members: 501+ Employees

Phone No.: (301) 215-8798

Street Address: 2500 SPEEDWAY

Austin, TX 78712

Name:

No. Employees, Members:

Phone No.:

Street Address:

DISCRIMINATION BASED ON:

Race

DATE(S) DISCRIMINATION TOOK PLACE

Earliest: 03/28/2023

Latest: 12/07/2023

Continuing Action

THE PARTICULARS ARE:

I.I began my employment with The University of Texas At Austin on or about July 5, 2022, initially as an Associate Professor of Practice, and Faculty Lead for Curriculum and Practice for M.A. in Design focused on Health, and my current job title is an Associate Professor of Practice. From on or about March 28, 2023, and continuing to the present, I have been subjected to the different terms and conditions of employment by Doreen Lorenzo (Caucasian), Assistant Dean, Ramon Rivera-Servera (race unknown), Dean, Kate Caneles (Caucasian), Departmental Chairperson/Immediate Supervisor, Tami Glass (Caucasian), Associate Professor in Design/Director of M.A. Design focused on Health, and Scott Lauger (Caucasian), Program Manager, which include but are not limited to: not authorizing me to work on any current or new research projects; requiring me to complete a faculty development support plan; and increasing my teaching load for Fall 2024. From on or about October 22, 2023, until on or about December 7, 2023, Dean Rivera-Servera executed improper investigation of my teaching evaluation. On or about December 19, 2023, I complained to Dean Ramon Rivera-Servera, and other management staff, about the unfair treatment, which I believe to be due to my race. No corrective action was taken to address my concerns, and to date, I am denied privileges of employment extended to my coworkers outside my protected group.

II. No reason was given by management for the terms and conditions.

III.I believe I have been discriminated against due to my race (Black), in violation of Title VII of the Civil Rights Act of 1964, as amended.

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

I declare under penalty of perjury that the above is true and correct.

Digitally Signed By: Mr. Byron J. Wilson

08/15/2024

Charging Party Signature & Date

NOTARY – When necessary for State and Local Agency Requirements

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information, and belief.

Signature of Complainant

Subscribed and sworn to before me this date: _____

PRIVACY ACT STATEMENT

Under the Privacy Act of 1974, Pub. Law 93-579, authority to request personal data and its uses are:

1. **FORM NUMBER/TITLE/DATE.** EEOC Form 5, Charge of Discrimination (06/24).
2. **AUTHORITY.** 42 U.S.C. 2000e-5(b), 29 U.S.C. 211, 29 U.S.C. 626, 42 U.S.C. 12117, 42 U.S.C. 2000ff-6.
3. **PRINCIPAL PURPOSES.** The purposes of a charge, taken on this form or otherwise reduced to writing (whether later recorded on this form or not) are, as applicable under the EEOC anti-discrimination statutes (EEOC statutes), to preserve private suit rights under the EEOC statutes, to invoke the EEOC's jurisdiction and, where dual-filing or referral arrangements exist, to begin state or local proceedings.
4. **ROUTINE USES.** This form is used to provide facts that may establish the existence of matters covered by the EEOC statutes (and as applicable, other federal, state or local laws). Information given will be used by staff to guide its mediation and investigation efforts and, as applicable, to determine, conciliate and litigate claims of unlawful discrimination. This form may be presented to or disclosed to other federal, state or local agencies as appropriate or necessary in carrying out EEOC's functions. A copy of this charge will ordinarily be sent to the respondent organization against which the charge is made.
5. **WHETHER DISCLOSURE IS MANDATORY; EFFECT OF NOT GIVING INFORMATION.** Charges must be reduced to writing and should identify the charging and responding parties and the actions or policies complained of. Without a written charge, EEOC will ordinarily not act on the complaint. Charges under Title VII, the ADA or GINA must be sworn to or affirmed (either by using this form or by presenting a notarized statement or unsworn declaration under penalty of perjury); charges under the ADEA should ordinarily be signed. Charges may be clarified or amplified later by amendment. It is not mandatory that this form be used to make a charge.

NOTICE OF RIGHT TO REQUEST SUBSTANTIAL WEIGHT REVIEW

Charges filed at a state or local Fair Employment Practices Agency (FEPA) that dual-files charges with EEOC will ordinarily be handled first by the FEPA. Some charges filed at EEOC may also be first handled by a FEPA under worksharing agreements. You will be told which agency will handle your charge. When the FEPA is the first to handle the charge, it will notify you of its final resolution of the matter. Then, if you wish EEOC to give Substantial Weight Review to the FEPA's final findings, you must ask us in writing to do so *within 15 days* of your receipt of its findings. Otherwise, we will ordinarily adopt the FEPA's finding and close our file on the charge.

NOTICE OF NON-RETALIATION REQUIREMENTS

Please **notify** EEOC or the state or local agency where you filed your charge **if retaliation is taken against you or others** who oppose discrimination or cooperate in any investigation or lawsuit concerning this charge. Under Section 704(a) of Title VII, Section 4(d) of the ADEA, Section 503(a) of the ADA, Section 207(f) of GINA, and 42 USC 2000gg-2(f)(1) of the PWFA it is unlawful for an *employer* to discriminate against present or former employees or job applicants, for an *employment agency* to discriminate against anyone, or for a *union* to discriminate against its members or membership applicants, because they have opposed any practice made unlawful by the statutes, or because they have made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under the laws. The Equal Pay Act has similar provisions and Section 503(b) of the ADA prohibits coercion, intimidation, threats or interference with anyone for exercising or enjoying, or aiding or encouraging others in their exercise or enjoyment of, rights under the Act.