

EXHIBIT - 2

EEOC Form 5 (11/09)

AMENDED CHARGE OF DISCRIMINATION This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.		Charge Presented To: Agency(ies) Charge No(s): <input type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC 551-2020-04009	
WASHINGTON STATE HUMAN RIGHTS COMMISSION and EEOC <i>State or local Agency, if any</i>			
Name (indicate Mr., Ms., Mrs.) MR. JOSHUA A DIEMERT		Home Phone (425) 591-6719	Year of Birth
Street Address 27517 156TH AVE SE, KENT, WA 98042		City, State and ZIP Code	
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)			
Name CITY OF SEATTLE		No. Employees, Members 501+	Phone No.
Street Address 700 5TH AVE SUITE 5400, SEATTLE, WA 98104		City, State and ZIP Code	
Name		No. Employees, Members	Phone No.
Street Address		City, State and ZIP Code	
DISCRIMINATION BASED ON (Check appropriate box(es).) <input checked="" type="checkbox"/> RACE <input checked="" type="checkbox"/> COLOR <input checked="" type="checkbox"/> SEX <input type="checkbox"/> RELIGION <input checked="" type="checkbox"/> NATIONAL ORIGIN <input checked="" type="checkbox"/> RETALIATION <input type="checkbox"/> AGE <input type="checkbox"/> DISABILITY <input type="checkbox"/> GENETIC INFORMATION <input type="checkbox"/> OTHER (Specify)		DATE(S) DISCRIMINATION TOOK PLACE Earliest Latest 12-01-2019 12-16-2020 <input checked="" type="checkbox"/> CONTINUING ACTION	
THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)): I began working for Respondent on or around the beginning of January 2013 as a Program Intake Representative. I have satisfactorily performed my duties and have been presented awards for my work. Since several years ago, the City of Seattle implemented the Race and Social Justice Initiative (RSJI) which is based on Critical Race Theory. It mandates that I take mandatory training sessions that degrade, stereotype and demean people based on inherent identities and national origin. The trainings blanket and stereotype entire groups of people based solely on race. Examples of definitions taught in class are 'ALL white people are born white supremacist racists non-dependent of their actions (inherently white supremacist)'. They teach the definition that 'white supremacy is American culture' or 'Capitalism' which they define as 'white culture'. Employees that disagree are called racist, and trainers say the 'defensiveness is evidence of being a white supremacist'. They also define employees who are perfectionists and always strive to be better as white supremacists declaring 'perfectionism is a trait of white supremacy'. They instruct white employees not to apply for promotions, they advise white employees to atone for their whiteness and give up resources			
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.		NOTARY - When necessary for State and Local Agency Requirements	
I declare under penalty of perjury that the above is true and correct.		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	
Digitally signed by Joshua Diemert on 01-16-2021 02:05 PM EST		SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year)	

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WASHINGTON STATE HUMAN RIGHTS COMMISSION

and EEOC

State or local Agency, if any

to 'People of Color' and encourage trauma asking white employees to self-degrade themselves. Some of the trainings are segregated by race with specific racial prerequisites stating employees are not permitted to attend any training sessions outside of their identified racial group. This is hurtful to see. City management also encourages employees to take what they learn in the biased trainings based on CRT and apply it to their work. We were asked to 'look at our work thru the lense of race'. I've seen this lead to employees taking action and denying eligible applicants for benefits due to skin color because they had 'white privilege'. When I reported this to my manager at the time I was reprimanded by her for saying the action was racist because 'you can't be racist towards a white person'. No action was taken on the employees denying people because of their skin color and the incident was never elevated which makes me, and others, perceive this behavior as acceptable to the city. I reported this incident multiple times to multiple people and nothing was ever done. The trainings have led to a hostile work environment and an increase in open discrimination including comments and actions. I've been told to be quiet in meetings or that I couldn't offer insight because of my sex or color of skin. Racist emails, stereotypes and discriminatory material is regularly posted in the workplace, discussed openly and passed around in emails. It's normal for superiors to tell their subordinates that they have privilege or are racist based solely on their skin color. For example, my Department Director told me that all white people are racist in a meeting when he was reporting back to my unit on a (RSJI) training he had attended and wanted us to know about. He also made other accusations that stereotyped entire groups of people based solely by race. In the Winter of 2020 I was told by a Senior level employee, whom also overseas my work, that I have white privilege and that I am responsible for the plight of black Americans because I'm white and white people did all the slavery. My opposition to the biased trainings has been affecting the terms and conditions of my employment. Trainings are mandated and are a part of our work performance reviews and overall job performance records. When I don't take classes, I receive a low-performance evaluation for refusing to attend the training. I have repeatedly expressed my opinion that the trainings are racist, divisive and demeaning to all levels of management, HR and Union leaders but my concerns about the demeaning material have never been addressed. I have also been subjected to harassment by management within the city. For example, after departments were merged I was asked by a manager 'what a straight white cis-male could possibly offer the HSD (City of Seattle)'. Furthermore, due to all of the harassment, hostile work environment, disparate treatment, and unfair terms and conditions of employment subjected by Respondent, my health has degraded, and my conditions worsened. My neurologist believes that the mandatory RSJI trainings have a direct negative effect on my mental and physical health and has exacerbated health issues. I am forced to take intermittent leave of absence due to poor health exacerbated by my hostile work environment. I believe I have been discriminated against because of my sex (male), race (Caucasian), national origin (American, USA Citizen), color (white) and retaliated for engaging in protected activity, in violation of Title VII of the Civil Rights Act of 1964, as amended. I believe a class has similarly been discriminated against, 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 Joshua Diemert on 01-16-2021
02:05 PM EST**

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
(month, day, year)

CP Enclosure with EEOC Form 5 (11/09)

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 (11/09).

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 and Section 207(f) of GINA, 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.