



DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

2218 Kausen Drive, Suite 100 | Elk Grove | CA | 95758
(800) 884-1684 | TDD (800) 700-2320
<http://www.dfeh.ca.gov> | email: contact.center@dfeh.ca.gov

January 22, 2018

Via - First Class Mail

Ben Kalasho

RE: Notice of Case Closure and Right to Sue

DFEH Matter Number: 794009-307597

EEOC Number: 37A-2018-00111-C

County of Violation: San Diego - S

In the Matter of: Kalasho / City of El Cajon et al

Dear Ben Kalasho:

The Department of Fair Employment and Housing (DFEH) has closed your case for the following reason: No Jurisdiction. Based upon its investigation, DFEH is unable to conclude that the information obtained establishes a violation of the statute. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this complaint.

This is your Right to Sue notice. According to Government Code section 12966, subdivision (b), a civil action may be brought under the provisions of the Fair Employment and Housing Act against the person, employer, labor organization or employment agency named in the above-referenced complaint. This is also applicable to DFEH complaints that are filed under, and allege a violation of, Government Code section 12948, which incorporates Civil Code sections 51, 51.7, and 54. The civil action must be filed within one year from the date of this letter. However, if your civil complaint alleges a violation of Civil Code section 51, 51.7, or 54, you should consult an attorney about the applicable statutes of limitation.

Your complaint **is dual filed** with the United States Equal Employment Opportunity Commission (EEOC). You have a right to request EEOC to perform a substantial weight review of our findings. This request must be made within fifteen (15) days of your receipt of this notice. Pursuant to Government code section 12965, subdivision (d) (1), your right to sue may be tolled during the pendency of EEOC's review of your complaint. To secure this review, you must request it in writing to the State and Local Coordinator:

EEOC Southern California
Roybal Federal Building

255 East Temple Ste, 4th Floor
Los Angeles, California 90012
(213) 894-1100

Within 10 days of receiving this letter, you may appeal this decision by emailing appeals@dfeh.ca.gov; by calling our Communication Center at 800-884-1684 (voice), 800-700-2320 (TTY) or California's Relay Service at 711; or by writing to:

Appeals Unit
Department of Fair Employment and Housing
2218 Kausen Dr, Suite 100
Elk Grove California 95758

Your appeal should include a 1) summary as to why you disagree with the reason; and/or, 2) any new detailed information (e.g., documents, records, witness information) that supports your claim. If you appeal, the information you provide will be carefully considered.

Although DFEH has concluded that the evidence and information did not support a finding that a violation occurred, the allegations and conduct at issue may be in violation of other laws. You should consult an attorney as soon as possible regarding any other options and/or recourse you may have regarding the underlying acts or conduct.

Should you decide to bring a civil action on your own behalf in court in the State of California under the provisions of the California Fair Employment and Housing Act (FEHA) against the person, employer, labor organization or employment agency named in your complaint, below are resources for this. Please note that if a settlement agreement has been signed resolving the complaint, you might have waived the right to file a private lawsuit.

Finding an Attorney

To proceed in Superior Court, you should contact an attorney. If you do not already have an attorney, the organizations listed below may be able to assist you:

- The State Bar of California has a Lawyer Referral Services Program which can be accessed through its Web site at www.calbar.ca.gov or by calling (866) 442-2529 (within California) or (415) 538-2250 (outside California).
- Your county may have a lawyer referral service. Check the Yellow Pages of your telephone book under "Attorneys."

Filing in Small Claims Court

- The Department of Consumer Affairs (DCA) has a publication titled "The Small Claims Court: A Guide to Its Practical Use" online at of "The Small Claims Court: A Guide to Its Practical Use" online at http://www.dca.ca.gov/publications/small_claims. You may also order a free copy of "The Small Claims Court: A

Guide to Its Practical Use” online, by calling the DCA Publication Hotline at (866) 320-8652, or by writing to them at: DCA, Office of Publications, Design and Editing; 1625 North Market Blvd., Suite N-112; Sacramento; CA; 95834.

- The State Bar of California has information on “Using the Small Claims Court” under the “Public Services” section of its Web site located at www.calbar.ca.gov.

Sincerely,

Adeola Egbeyemi

Adeola Egbeyemi
Staff Service Analyst

adeola.egbeyemi@dfeh.ca.gov

cc:

Gena Burns
8100 La Mesa Blvd Ste 200
La Mesa, CA 91942

City of El Cajon
200 Civic Center Way
El Cajon, California 92020

City of El Cajon
Attn: Bill Wells
200 Civic Center Way
El Cajon, CA 92020

City of El Cajon
Attn: Gary Kendrick
200 Civic Center Way
El Cajon, CA 92020