



# EEOC

## TRAINING INSTITUTE

U.S. Equal Employment Opportunity Commission  
Washington Field Office

# Developing an Appropriate Evidentiary Record for Federal Sector EEO Complaints

May 23, 2024

1:00 pm – 5:10 pm Eastern

Virtual Workshop

## AGENDA

- | Time     | Presentation   |
|----------|--|
| 12:30 pm | Virtual Environment Opens  |
| 1:00 pm  | <b>Opening Remarks</b><br>Mindy Weinstein, Director, Washington Field Office   |
| 1:05 pm  | <b>Reports of Investigation: Perspectives and Tips from EEOC Administrative Judges</b><br>Laurie Bennett, Administrative Judge, EEOC<br>Bryan Douglas, Administrative Judge, EEOC<br>Courtney Mickman, Administrative Judge, EEOC<br>Zachary Wright, Administrative Judge, EEOC<br>Join Administrative Judges (“AJs”) with the Washington Field Office as they share insights on how Reports of Investigations (“ROIs”) are used in the hearings process, including a review of the adequacy of Agency investigations, timeliness concerns, the AJ’s obligation to develop the evidentiary record, and best practices for Agencies.  |
| 2:35 pm  | <b>Developing the Evidentiary Record at the Hearing Stage</b><br>Laurie Bennett, Administrative Judge, EEOC<br>Bryan Douglas, Administrative Judge, EEOC<br>Courtney Mickman, Administrative Judge, EEOC<br>Zachary Wright, Administrative Judge, EEOC<br>Join AJs from the Washington Field Office for a discussion of the tools available for parties to develop the record in the hearings process, including a discussion of various discovery methods and motions to compel. The AJs will also discuss evidentiary sanctions, submission of evidence and witnesses at hearing, and best practices for Complainants and Agencies in ensuring the evidentiary record is complete. |

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### **Time Presentation**

4:05 pm **Break**

4:10 pm **The Effect of the Evidentiary Record on Alternative Dispute Resolution (ADR)**

Kathryn Brown, Supervisory Administrative Judge, EEOC

Molly Maxwell-Powell, Mediator, EEOC

Join a Federal Sector Mediator and Supervisory AJ with the Washington Field Office as they share insights on how the evidentiary record may affect settlement negotiations.

5:10 pm **Closing Remarks**

Mindy Weinstein, Director, EEOC Washington Field Office

5:15pm **Adjourn**

**REGISTRATION FEE: \$350.00 per person**

**REGISTER HERE: [Washington Field Office Federal Sector Workshop](#)**

### **CREDITS:**

HRCI – This program has been submitted to the HR Certification Institute for review.

SHRM – submitted for approval.

CLE – seeking credit for VA.

Federal Counselor or Investigator Refresher credits approved (4 hours).

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### PRESENTER BIOGRAPHIES

#### **Laurie Bennett, Administrative Judge, EEOC**



Laurie Bennett graduated from the New England School of Law in Boston, Massachusetts in 1984. After graduation, she worked as an attorney for the Maryland Disability Law Center and the mental health unit of the Legal Aid Bureau representing patients in psychiatric hospitals on civil rights issues and financial entitlements. She then started a thirty-three-year career as an administrative law judge for the Maryland Office of Administrative Hearings where her jurisdiction covered regulatory hearings for nearly every Maryland State Agency. In 2020, she was hired as an administrative judge for the EEOC in the federal sector. She coaches the criminal procedure moot court team for the University of Baltimore School of Law.



#### **Kathryn Brown, Administrative Judge, EEOC**

Kathryn Brown is a Supervisory Administrative Judge with the EEOC's Washington Field Office, where she manages the office's federal sector ADR program. During her EEOC career, Administrative Judge Brown has participated in the workgroups responsible for drafting the first edition of the national Handbook for Administrative Judges and for developing revisions to 29 C.F.R. Part 1614. In addition to serving as an Administrative Judge and Supervisory Administrative Judge, she has served as the EEOC National Hearings Coordinator and as Acting Coordinator for the Washington Field Office's private sector ADR program. Administrative Judge Brown earned her Juris Doctor with Honors from the George Washington University Law School after her undergraduate studies at the London School of Economics and Clark University. She is a member of the District of Columbia Bar, the Virginia State Bar, and the Phi Beta Kappa Honor Society.

#### **Bryan Douglas, Administrative Judge, EEOC**



Bryan Douglas currently serves as an Administrative Judge in the EEOC's Washington Field Office. He joined the EEOC in 2009 as an Investigator in the Washington Field Office, and subsequently served as an Enforcement Supervisor and Administrative Judge in the Birmingham District Office. Prior to joining the Commission, Bryan spent five years in the private sector as a member of management for a manufacturing company. Bryan is a graduate of the Florida State University and Stetson University College of Law. He is a veteran of the United States Army.

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### **Courtney Mickman, Administrative Judge, EEOC**

Since 2018, Courtney Mickman has been an Administrative Judge in the Hearings Unit of the U.S. Equal Employment Opportunity Commission's ("EEOC") Washington Field Office. She previously worked in private practice in Washington, D.C., primarily representing complainants and appellants in litigation before the EEOC and Merit Systems Protection Board. She also advised and assisted federal employees through the process of obtaining disability retirement with the Office of Personnel Management, requesting reasonable accommodations, and pursuing whistleblower and disclosure complaints before the Office of Special Counsel.



### **Molly Maxwell-Powell, Mediator, EEOC**

Molly Maxwell-Powell is a mediator with the EEOC, Washington Field Office. An attorney by training, Ms. Maxwell-Powell joined the Commission in 2015 as an investigator with the Detroit Field Office. After obtaining her mediation certification, she moved to the EEOC's ADR unit. In 2021, Ms. Maxwell-Powell joined the Washington Field Office, where she mediates federal sector cases.



### **Zachary Wright, Administrative Judge, EEOC**

Zachary Wright is an Administrative Judge at the EEOC's Washington Field Office. Prior to joining the EEOC in 2018, he served as Branch Chief for USDA's Animal Plant Health Inspection Service's ("APHIS") Employment Litigation Division for several years. During his tenure with APHIS, he was responsible for reviewing and approving all EEO and MSPB litigation. He also regularly advised management and employee relations on issues in the workplace, including reasonable accommodation and potential disciplinary actions, and conducted training on various employment law issues, including compliance with the ADA and EEO retaliation. Prior to joining USDA, he was an associate at the Law Offices of Gary M. Gilbert and Associates from 2010 to 2015. During his time as an associate, he represented employees of numerous federal agencies in different forums, including the EEOC, MSPB, OWCP, OPM, FLRA, and OSC

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