

EEOC Form 5 (11/09)

CHARGE OF DISCRIMINATION <small>This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.</small>		Charge Presented To: Agency(ies) Charge No(s): <input type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC 444-2021-01399	
SOUTH DAKOTA DIVISION OF HUMAN RIGHTS and EEOC <small>State or local Agency, if any</small>			
Name (indicate Mr., Ms., Mrs.) Stefany Bawek		Home Phone (incl. Area Code) [REDACTED]	Date of Birth [REDACTED]
Street Address [REDACTED]		City, State and ZIP Code Sioux Falls, SD 57108	
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 State of South Dakota, Department of Corrections		No. Employees, Members 500+	Phone No. (include Area Code) 605-367-5050
Street Address 1600 North Dr.		City, State and ZIP Code Sioux Falls, SD 57104	
Name [REDACTED]		No. Employees, Members [REDACTED]	Phone No. (include Area Code) [REDACTED]
Street Address [REDACTED]		City, State and ZIP Code [REDACTED]	
DISCRIMINATION BASED ON (Check appropriate box(es).) <input type="checkbox"/> RACE <input type="checkbox"/> COLOR <input checked="" type="checkbox"/> SEX <input type="checkbox"/> RELIGION <input 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 05/26/2021 07/15/2021 <input type="checkbox"/> CONTINUING ACTION	
THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)). INDIVIDUAL HARM: I was constructively discharged from my position at the South Dakota Department of Corrections State Penitentiary on July 15, 2021 despite my documented performance in my job duties. RATIONAL BASIS: I believe that I have been subject to retaliation because of my protected activity, in violation of the South Dakota Human Relations Act of 1972 and Title VII of the Civil Rights Act of 1964, for the following reasons: 1. On May 26, 2021, I engaged in statutorily protected activity when I made a good faith report of the sexual harassment to the Commissioner of the SD Bureau of Human Resources Commissioner, Darin Seeley. I reported information that a female subordinate staff member had been subject to unwelcome touching and attention by the State Penitentiary Warden at a hotel during an off-site senior staff meeting. An earlier anonymous report had also alleged that sexual harassment by staff was an issue in the penitentiary's work environment. 2. After my report, I was never contacted for any further details about my report. 3. On July 15, 2021, the Secretary of the Department of Social Services handed me a letter that advised me that I was suspended without pay and said that I would be notified when I could come back and pick up my things. 4. On July 15, 2021, the Governor of South Dakota announced that I was on administrative leave, and that the Warden had been fired, along with a deputy warden. The Governor related this adverse action to Commissioner Seeley's internal review. 5. I was constructively discharged on July 15, 2021.			
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.		NOTARY - When necessary for State and Local Agency Requirements Colene Bellmore 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 [REDACTED] SUBSCRIBED AND SWORN TO before me this DATE 7/23/21 (month, day, year) [REDACTED] NOTARY PUBLIC [REDACTED] [REDACTED] SOUTH DAKOTA [REDACTED]	

9/11/26