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## **PROGRAM ANNOUNCEMENT**

*The Advocacy Institute Is Pleased to Present*

### **HANDLING EEOC AND DCR COMPLAINTS – A PRIMER FOR HEALTH AND HUMAN SERVICES DEPUTIES**

**January 15, 2020  
2:00 p.m. – 3:30 p.m.  
R.J. Hughes Justice Complex  
8th Floor, West Wing Conference Room 8-130  
Trenton, New Jersey**

#### **NOTICE REGARDING COURSE MATERIALS**

**You will receive the course materials on the day of the program.**

#### *Program Summary*

The Division of Law's Health and Human Services Section handles all discrimination and retaliation complaints filed with the Equal Employment Opportunity Commission (EEOC) and the Division on Civil Rights (DCR) by employees of the Departments of Health or Human Services. This course will provide guidance to HHS deputies on how to handle these cases from inception to resolution, including entering an appearance, filing an answer, responding to document requests, preparing a litigation hold, drafting a position statement, participating in fact finding, conciliation or mediation, and ultimate disposition. The program will also include the definitions and prima facie elements for various forms of discrimination, harassment, hostile work environment and retaliation cases, the specific proofs needed for each, and the agency's defense of these claims, illustrated by specific examples from HHS cases.

#### *Who Should Attend?*

Attendance at this program is limited to Deputy Attorneys General in the Division of Law's Health and Human Services Section and Assistant Attorneys General in the Trenton Administrative Practice Group.

## *Who Is the Faculty?*

**DAG Caroline Gargione** is the Mental Health Guardianship Supervisor for the Health and Human Services Section of the Division of Law. She reviews all mental health guardianships before assignment to a DAG and addresses questions and problems about specific guardianships. Her practice includes handling discrimination claims at the EEOC and DCR, litigating discrimination, Central Registry, Medicaid, and civil commitment cases in the OAL and Superior Court and mentoring newer attorneys. She is also counsel for the Governor's Council on Alcoholism and Drug Abuse. DAG Gargione previously served in the Employment Litigation section of DOL. Before joining the Department of Law and Public Safety, she was a litigation attorney and a solo practitioner. DAG Gargione interned for the Honorable Anne E. Thompson, U.S.D.J. She received a B.S. from Rutgers College with a double major in Business and English, and a J.D. from New York Law School, where she earned the American Jurisprudence Award in Legal Writing.

**DAG Mark D. McNally** is a member of the Health & Human Services Section of the Division of Law. He handles discrimination claims at the EEOC and DCR, Special Needs Trusts, guardianships, license certifications, denials and revocations, civil commitment hearings, Central Registry and civil rights matters. He also litigates cases in the OAL, Superior and federal courts, and serves as counsel for the Integrated Population Health Data (iPHD) Project Governing Board. DAG McNally previously served as a deputy in DOL's Employment Litigation Section. Prior to joining the Division of Law, he practiced family law and served as a Teach for America Corps member in Houston, Texas, where he taught 4th grade. DAG McNally clerked for the Honorable Mary K. White, J.S.C. He received a B.A. in Government from Franklin & Marshall College and a J.D. from Rutgers University School of Law in Camden, NJ.

### *CLE Credit*

**NJ CLE Credit:** This program has been approved by the Board on Continuing Legal Education of the Supreme Court of New Jersey for 1.8 hours of total CLE credit. Of these, 0.0 qualify as hours of credit for ethics/professionalism.

**NY CLE Credit:** 1.5 Substantive Credits (pursuant to the approved jurisdiction policy).

**PA CLE Credit:** 1.5 Substantive Credits (\$3.00 mandatory registration fee required).