



October 31, 2020

Nancy Sienko
Roberta Steele
Equal Employment
Opportunity Commission
Federal Office Building
909 First Avenue
Suite 400
Seattle, WA 98104-1061

Re: Filing of Charge of Discrimination by Zachary Stevens

Ms. Sienko and Ms. Steele:

Enclosed herewith, please find the Charge of Discrimination (EEOC Form 5) and Intake Questionnaire requisite in filing a charge with the Equal Employment Opportunity Commission (EEOC) on behalf of our client, Zachary Stevens. If further action is required to effectuate this filing, please kindly inform me as soon as possible.

You may direct all communication concerning this matter to my attention at [REDACTED] or by email, [REDACTED].

Respectfully,

A handwritten signature in blue ink, appearing to read "Jeremy Dys".

Jeremy Dys
Special Counsel
First Liberty Institute



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION INTAKE QUESTIONNAIRE

Please immediately complete this entire form and return it to the U.S. Equal Employment Opportunity Commission ("EEOC"). **REMEMBER**, a charge of employment discrimination must be filed within the time limits imposed by law, within 180 days or in some places within 300 days of the alleged discrimination. When we receive this form, we will review it to determine EEOC coverage. **Answer all questions completely, and attach additional pages if needed to complete your responses. If you do not know the answer to a question, answer by stating "not known." If a question is not applicable, write "N/A." (PLEASE PRINT)**

1. Personal Information

Last Name: Stevens First Name: Zachary MI: T

Street or Mailing Address: [REDACTED] Apt or Unit #:

City: Bellevue County: King State: WA Zip: 98015

Phone Numbers: Home: () Work: ()

Cell: () Email Address: [REDACTED]

Date of Birth: [REDACTED] Sex: ☒ Male ☐ Female Do You Have a Disability? ☐ Yes ☒ No

Please answer each of the next three questions. i. Are you Hispanic or Latino? ☐ Yes ☒ No

ii. What is your Race? Please choose all that apply. ☐ American Indian or Alaskan Native ☐ Asian ☒ White
☐ Black or African American ☐ Native Hawaiian or Other Pacific Islander

iii. What is your National Origin (country of origin or ancestry)? USA

Please Provide The Name Of A Person We Can Contact If We Are Unable To Reach You:

Name: Jeremy Dys Relationship: Attorney

Address: 2001 W. Plano, Pkwy, Ste. 1600 City: Plano State: TX Zip Code: 75075

Home Phone: () Other Phone: ()

2. I believe that I was discriminated against by the following organization(s): (Check those that apply)

☒ Employer ☐ Union ☐ Employment Agency ☐ Other (Please Specify)

Organization Contact Information (If the organization is an employer, provide the address where you actually worked. If you work from home, check here ☐ and provide the address of the office to which you reported.) **If more than one employer is involved, attach additional sheets.**

Organization Name: Washington State Department of Corrections-Monroe Correctional Complex

Address: 16550 177th Avenue SE County: Snohomish

City: Monroe State: WA Zip: 98272 Phone: (360) 794-2400

Type of Business: Correctional Facility Job Location if different from Org. Address:

Human Resources Director or Owner Name: Evie Green Phone: [REDACTED]

Number of Employees in the Organization at All Locations: Please Check (✓) One

☐ Fewer Than 15 ☐ 15 – 100 ☐ 101 – 200 ☐ 201 – 500 ☒ More than 500

3. Your Employment Data (Complete as many items as you are able.) Are you a federal employee? ☐ Yes ☐ No

Date Hired: 11/13/2019 Job Title At Hire: Advance Care Practitioner, Physician Assistant PA-C

Pay Rate When Hired: 152,400 Last or Current Pay Rate: 112,500

Job Title at Time of Alleged Discrimination: Advance Care Practitioner, Physician Assistant PA-C Date Quit/Discharged: 02/13/2020

Name and Title of Immediate Supervisor: Dr. Areig Awad, Medical Director, Monroe Correctional Complex

If Job Applicant, Date You Applied for Job 10/20/2019 Job Title Applied For Advance Care Practitioner, Physician Assistant PA-C

4. What is the reason (basis) for your claim of employment discrimination?

FOR EXAMPLE, if you feel that you were treated worse than someone else because of race, you should check the box next to Race. If you feel you were treated worse for several reasons, such as your sex, religion and national origin, you should check all that apply. If you complained about discrimination, participated in someone else's complaint, or filed a charge of discrimination, and a negative action was threatened or taken, you should check the box next to Retaliation.

☐ Race ☐ Sex ☐ Age ☐ Disability ☐ National Origin ☒ Religion ☒ Retaliation ☐ Pregnancy ☐ Color (typically a difference in skin shade within the same race) ☐ Genetic Information; circle which type(s) of genetic information is involved:
i. genetic testing ii. family medical history iii. genetic services (genetic services means counseling, education or testing)

If you checked color, religion or national origin, please specify: Failure to Accomodate religious beliefs; Consideration of religion as part of hiring/termination; Religious discrimination; Please see attached narrative

If you checked genetic information, how did the employer obtain the genetic information? N/A

Other reason (basis) for discrimination (Explain): Retaliation for expressing religious objections and requesting a religious accommodation during on-boarding process. Please see attached narrative.

5. What happened to you that you believe was discriminatory? Include the date(s) of harm, the action(s), and the name(s) and title(s) of the person(s) who you believe discriminated against you. Please attach additional pages if needed.

(Example: 10/02/06 – Discharged by Mr. John Soto, Production Supervisor)

A. Date: 02/13/2020 **Action:** Please see attached narrative. After I accepted the conditional offer of employment, Monroe Correctional Complex rescinded their offer of employment due to my religious beliefs and refused to make reasonable accomodation for my sincerely-held religious beliefs that would pose no undue hardship to the Washington State Department of Corrections.

Name and Title of Person(s) Responsible: Wendy Vandel

B. Date: N/A **Action:** N/A

Name and Title of Person(s) Responsible _____

6. Why do you believe these actions were discriminatory? Please attach additional pages if needed.

Please see attached narrative.

7. What reason(s) were given to you for the acts you consider discriminatory? By whom? His or Her Job Title?

Wendy Vandel, Health Services Recruiter. Please see attached narrative.

8. Describe who was in the same or similar situation as you and how they were treated. For example, who else applied for the same job you did, who else had the same attendance record, or who else had the same performance? Provide the race, sex, age, national origin, religion, or disability of these individuals, if known, and if it relates to your claim of discrimination. For example, if your complaint alleges race discrimination, provide the race of each person; if it alleges sex discrimination, provide the sex of each person; and so on. Use additional sheets if needed.

Of the persons in the same or similar situation as you, who was treated *better* than you?

<u>Full Name</u>	<u>Race, Sex, Age, National Origin, Religion or Disability</u>	<u>Job Title</u>	<u>Description of Treatment</u>
A. Jake Grillo	Religion	Physician Assistant	

Mr. Grillo expressed a similar religious objection for which he received an accomodation and was not terminated.
Please see attached narrative.

B. Adelaide Ockey	Religion	Physician Assistant	
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Ms. Ockey expressed a similar religious objection for which she was offered an accomodation and was not terminated.
Please see attached narrative.

Of the persons in the same or similar situation as you, who was treated *worse* than you?

<u>Full Name</u>	<u>Race, Sex, Age, National Origin, Religion or Disability</u>	<u>Job Title</u>	<u>Description of Treatment</u>
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A. N/A

B. _____

Of the persons in the same or similar situation as you, who was treated the *same* as you?

<u>Full Name</u>	<u>Race, Sex, Age, National Origin, Religion or Disability</u>	<u>Job Title</u>	<u>Description of Treatment</u>
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A. N/A

B. N/A

Answer questions 9-12 only if you are claiming discrimination based on disability. If not, skip to question 13. Please tell us if you have more than one disability. Please add additional pages if needed.

9. Please check all that apply:

- ☐ Yes, I have a disability
- ☐ I do not have a disability now but I did have one
- ☐ No disability but the organization treats me as if I am disabled

10. What is the disability that you believe is the reason for the adverse action taken against you? Does this disability prevent or limit you from doing anything? (e.g., lifting, sleeping, breathing, walking, caring for yourself, working, etc.).

N/A

11. Do you use medications, medical equipment or anything else to lessen or eliminate the symptoms of your disability?

☐ Yes ☐ No

If "Yes," what medication, medical equipment or other assistance do you use?

N/A

12. Did you ask your employer for any changes or assistance to do your job because of your disability?

☐ Yes ☐ No

If "Yes," when did you ask? N/A How did you ask (verbally or in writing)? N/A

Who did you ask? (Provide full name and job title of person)

N/A

Describe the changes or assistance that you asked for: N/A

How did your employer respond to your request? N/A

13. Are there any witnesses to the alleged discriminatory incidents? If yes, please identify them below and tell us what they will say. (Please attach additional pages if needed to complete your response)

Full Name	Job Title	Address & Phone Number	What do you believe this person will tell us?
A. Evie Green	Human Resources Director	16550 177th Avenue SE Monroe, WA 98310 (360) 794-240	She asked whether my objections were based in my religious beliefs. Please see attached narrative.
B. Adelaide Ockey	Physician Assistant	Unknown	Ms. Ockey can discuss MCC's treatment of her concerning her religious objections.

14. Have you filed a charge previously on this matter with the EEOC or another agency? ☐ Yes ☒ No

15. If you filed a complaint with another agency, provide the name of agency and the date of filing: _____

I filed a pre-charge inquiry with the Washington Human Rights Commission on June 1, 2020.

16. Have you sought help about this situation from a union, an attorney, or any other source? ☒ Yes ☐ No
Provide name of organization, name of person you spoke with and date of contact. Results, if any?

I am represented by First Liberty Institute. My point of contact is Jeremy Dys, Special Counsel.

2001 W. Plano Pkwy, Suite 1600, Plano, TX 75075 (972)941-4444

Please check one of the boxes below to tell us what you would like us to do with the information you are providing on this questionnaire. If you would like to file a charge of job discrimination, you must do so either within 180 days from the day you knew about the discrimination, or within 300 days from the day you knew about the discrimination if the employer is located in a place where a state or local government agency enforces laws similar to the EEOC's laws. If you do not file a charge of discrimination within the time limits, you will lose your rights. If you would like more information before filing a charge or you have concerns about EEOC's notifying the employer, union, or employment agency about your charge, you may wish to check Box 1. If you want to file a charge, you should check Box 2.

BOX 1 ☐ I want to talk to an EEOC employee before deciding whether to file a charge. I understand that by checking this box, I have not filed a charge with the EEOC. I also understand that I could lose my rights if I do not file a charge in time.

BOX 2 ☒ I want to file a charge of discrimination, and I authorize the EEOC to look into the discrimination I described above. I understand that the EEOC must give the employer, union, or employment agency that I accuse of discrimination information about the charge, including my name. I also understand that the EEOC can only accept charges of job discrimination based on race, color, religion, sex, national origin, disability, age, genetic information, or retaliation for opposing discrimination.


Signature

10/17/2020
Today's Date

PRIVACY ACT STATEMENT: This form is covered by the Privacy Act of 1974: Public Law 93-579. Authority for requesting personal data and the uses thereof are:

- 1) FORM NUMBER/TITLE/DATE. EEOC Intake Questionnaire (9/20/08). 2) AUTHORITY. 42 U.S.C. § 2000e-5(b), 29 U.S.C. § 211, 29 U.S.C. § 626. 42 U.S.C. 12117(a)
- 3) PRINCIPAL PURPOSE. The purpose of this questionnaire is to solicit information about claims of employment discrimination, determine whether the EEOC has jurisdiction over those claims, and provide charge filing counseling, as appropriate. Consistent with 29 CFR 1601.12(b) and 29 CFR 1626.8(c), this questionnaire may serve as a charge if it meets the elements of a charge. 4) ROUTINE USES. EEOC may disclose information from this form to other state, local and federal agencies as appropriate or necessary to carry out the Commission's functions, or if EEOC becomes aware of a civil or criminal law violation. EEOC may also disclose information to respondents in litigation, to congressional offices in response to inquiries from parties to the charge, to disciplinary committees investigating complaints against attorneys representing the parties to the charge, or to federal agencies inquiring about hiring or security clearance matters.
- 5) WHETHER DISCLOSURE IS MANDATORY OR VOLUNTARY AND EFFECT ON INDIVIDUAL FOR NOT PROVIDING INFORMATION. Providing this information is voluntary but the failure to do so may hamper the Commission's investigation of a charge. It is not mandatory that this form be used to provide the requested information.

Personal Statement of Zach Stevens

My religious beliefs compel me to care for the disenfranchised. That is what drew me to the position of Advanced Care Practitioner (“ACP”) (Physician Assistant) at the Monroe Correctional Complex (“MCC”). Ironically, it was because of my religious beliefs that MCC rescinded its job offer to me.

Before and during my education as a Physician Assistant, I spent more than a decade providing services and assistance to communities worldwide through medical, educational, and development activities—including seven years spent providing outreach and education services to underserved villages of Indonesia as an outgrowth of my Christian faith. Even as an EMT, I enjoyed providing compassionate care, regardless of the background of my patient, many of whom were unemployed and homeless.

As a National Health Service Corps Scholarship Program Award recipient, I chose to apply to the Washington Department of Corrections (“DOC”), a designated Health Professional Shortage Area, in fulfillment of my scholarship. On October 21, I submitted my application to the DOC to be an ACP at MCC. See Exhibit 1. Officials with MCC interviewed me for the position on October 31, 2019.

Soon thereafter, following a successful interview process, Wendy Vandel, the Health Services Recruiter for the DOC, extended me a “Conditional Offer of Employment,” which I accepted. See Exhibit 2. On November 13, 2019, I returned a signed copy of the “Conditional Offer of Employment” to Ms. Vandel, two days prior to its due date. See Exhibits 3 and 4.

The next day, Dr. Areig Awad, the Facility Medical Director, told me in an email “you will be a phenomenal fit here.” See Exhibit 5. As MCC wanted me to start right away I began looking in the area for a place to live.

On November 20, a week after Dr. Awad’s email, I had a phone call with Dr. Awad to discuss my new job at MCC. Among other matters, the subject of transgender hormone therapy came up. During the interview process, the interview team had mentioned these treatments and explained they were managed by an outside endocrinologist—thereby alleviating me or any MCC staff member from having to administer gender-identity affirming hormones directly. Similarly, during a follow-on tour of MCC, some of the providers shared that they provided this therapy to the inmates but that no one (including ACP’s, which is what I was hired to be) had been required to do so.

To my surprise, however, during the November 20 phone call Dr. Awad informed me for the first time that I would be *required* to provide transgender hormone therapy as part of my job. When I told her this surprised me based on what I had been told during the interview process, Dr. Awad offered to let me talk with the MCC official in charge of the matter. I told her I would like to do that, but I was never provided the opportunity.

On November 22, two days after my phone call with Dr. Awad, Evie Green, a human resources officer for MCC, called me. She surprised me by asking specifically about my religious beliefs in

relation to the prescription of hormone therapy to MCC's transgender population. In fact, I recall that she started the interview by asking, in reference to my objection about administering hormone therapy and providing invasive transgender therapies, "Is it religious?"

I informed Ms. Green that I have no religious objection to providing general medical care to transgender persons, but that my inability to provide specific, invasive transgender therapies is based on my understanding of medical best practices and my religious convictions. At the end of our phone call Ms. Green said she would get back with me by November 25.

On December 2, 2019, having not heard from Ms. Green, I called Ms. Vandel for an update on my employment status. Ms. Vandel informed me that the MCC/DOC was considering rescinding my offer of employment, which I understood was, at least in part, because of my religious objections to providing invasive transgender therapy. The next week, on December 9, I sent an email to Ms. Vandel clarifying my objections and requested a reasonable accommodation from DOC/MCC for my religious beliefs. See Exhibit 6. Ms. Vandel confirmed by telephone on December 16, 2020 that my request had been received and was under review.

Nearly two months later, on February 13, 2020, Ms. Vandel informed me by email that my job offer was "vacated" as of the date of her email. According to her email, "[a]fter thorough exploration and review of the resulting information" gathered after my conditional offer of employment, the "conditions were not met to [MCC/ DOC's] satisfaction and therefore the conditional offer of employment [was] vacated." See Exhibit 6.

According to the conditional offer of employment I signed on November 13, 2019, MCC/DOC believed that I "have what it takes to be a successful DOC health care professional." See Exhibit 4. The offer explained DOC officials would gather and assess information "to determine if [my] capabilities and background to date meet the standards to become a successful employee." *Id.* Specifically, the information to be gathered and assessed was as follows:

- A background investigation of previous criminal history.
- Verification of job performance with reference and previous employers.
- A drug test within 24 hours.¹
- Base line TB reading. (if completed in the last year)
- BLS or ACLS certification.
- Verification of current license for Washington State (free of actions).
- Final review and approval of all information contained in the hiring packet by the Appointing Authority.

Id. Unless the information revealed "significant discrepancies" with my application or interview, I would receive a final offer of employment.

All of this information was routine and unsurprising, and revealed no discrepancies of which I am aware. For example, Ms. Vandel told me that my references came back very positive. I believe

¹ According to Wendy Vandel's email of November 12, 2019, my drug test was required to be completed by November 15, 2019. See Exhibit 2.

MCC/DOC rescinded my job offer because of my religious beliefs and its refusal to accommodate my beliefs.

After MCC/DOC rescinded my offer of employment I discovered that at least two other Physician Assistants had asserted similar objections to the prescription of gender identity-affirming hormone therapy and/or surgery. I was told Adelaide Ockey met with a human resource officer at MCC after being instructed to provide gender transition therapies to which she objected on similar religious and medical grounds. I was told MCC's human resources informed her that she could request a religious accommodation and, in fact, such an accommodation was offered: her unit—the same unit for which I interviewed and accepted employment—had two providers on duty alleviating even the most minimal burden to MCC while accommodating Ms. Ockey's religious objections.

I was told Jake Grillo also objected to the hormone therapy based upon similar religious and medical grounds. I was told that initially, MCC officials informed Mr. Grillo that he would be terminated if he refused to provide the treatment, that his working conditions would get more difficult if he did not comply, and that the former Facility Medical Director of MCC, Dr. Julia Barnett, had instructed MCC officials to refuse to assist Mr. Grillo if asked to prescribe gender identity-affirming hormones for his patients.


I was told that when Mr. Grillo initiated legal action asserting the discrimination against his religious beliefs, MCC offered to move him to a unit—the same unit for which I interviewed and accepted employment—which had multiple providers on duty who could write the prescription and so alleviate even the most minimal of burdens to MCC while accommodating Mr. Grillo's religious objections. I was told Mr. Grillo did not change his position, but was permitted to request other providers to write prescriptions for which he had a religious objection.

For my part, I very much want to treat and help transgender patients with their medical needs. As these patients are part of an often disenfranchised population, I am eager to provide them competent and quality medical care as a Physician Assistant. My religious convictions, however, preclude me from personally providing them invasive gender identity-affirming therapies and procedures such as hormone therapy.

Rather than allow others (including the outside endocrinologist I was informed of during the interview process) to write such prescriptions—imposing no burden to MCC or its population—officials chose to rescind my offer of employment. As a result of MCC/DOC's discriminatory behavior, I had to find a new position in keeping with the terms of my National Health Service Corps Scholarship. I was able to find a new position, but the compensation is less.

It is clear to me that I met every qualification for the ACP job at MCC except one: MCC/DOC disapproved of my religious beliefs and refused to provide even the most minimal accommodation for my religious beliefs.

EXHIBIT 1

From: Zach Stevens [REDACTED] 
Subject: Advanced Care Practitioner for MCC
Date: October 21, 2019 at 2:07 AM
[REDACTED]



Dear Wendy,

Thank you for entertaining my questions at the recent HRSA virtual job fair. I was excited to learn that you had an opening for a new graduate PA.

I have applied online for the position of Advanced Care Practitioner (Physician Assistant) for the Monroe Correctional Complex. I am certified with NCCPA and hold an active license to practice in the State of Washington. I am eager to begin working with the Department of Corrections.

Please refer to my cover letter and resume, attached. I look forward to hearing from you!

Sincerely,

Zach

Zachary Stevens, PA-C
MEDEX Northwest
University of Washington School of Medicine
[REDACTED]

Zachary T. Stevens

[REDACTED]
Bremerton, WA 98310
October 20, 2019

Wendy Vandel
Washington Department of Corrections
16550 177th Avenue SE
Monroe, WA 98272

Dear Wendy:

I am writing to apply for the position of Advanced Care Practitioner (Physician Assistant) for the Monroe Correctional Complex (MCC). I heard of this position through your presentation at the HRSA virtual job fair.

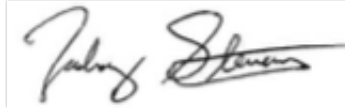
My interest in this position comes from my clinical experiences with disenfranchised patients. As a paramedic, I enjoyed treating persons experiencing unemployment and homelessness, mental illness, and incarceration. Additionally, I'm drawn to the opportunity to work with the sickest and most complicated patients located at MCC. I am eager to hone my skills for managing complex patients in sub-acute and post-acute settings.

~~managing complex patients in pre-hospital and post-hospital settings.~~

My experiences in Emergency Medical Services and in community service have taught me to deliver compassionate care to all, no matter what their background, while maintaining situational awareness and a positive outlook. My dedication to health equity motivates me to build relationships with patients, understand their goals, and develop care plans that they fully own. My clinical skills, commitment to removing barriers, respect for different cultures and compassion for all patients align with the Washington DOC mission and vision.

I would welcome an opportunity to interview for the position of Physician Assistant for the Monroe Correctional Complex. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Zachary Stevens", enclosed within a thin black rectangular border.

Zachary Stevens, PA-C
MEDEX Northwest Physician Assistant Program
University of Washington School of Medicine



Zachary
Steven...tae.pdf

Zachary T. Stevens

[REDACTED]
Bremerton, WA 98310

October 20, 2019

Wendy Vandel
Washington Department of Corrections
16550 177th Avenue SE
Monroe, WA 98272

Dear Wendy:

I am writing to apply for the position of Advanced Care Practitioner (Physician Assistant) for the Monroe Correctional Complex (MCC). I heard of this position through your presentation at the HRSA virtual job fair.

My interest in this position comes from my clinical experiences with disenfranchised patients. As a paramedic, I enjoyed treating persons experiencing unemployment and homelessness, mental illness, and incarceration. Additionally, I'm drawn to the opportunity to work with the sickest and most complicated patients located at MCC. I am eager to hone my skills for managing complex patients in sub-acute and post-acute settings.

My experiences in Emergency Medical Services and in community service have taught me to deliver compassionate care to all, no matter what their background, while maintaining situational awareness and a positive outlook. My dedication to health equity motivates me to build relationships with patients, understand their goals, and develop care plans that they fully own. My clinical skills, commitment to removing barriers, respect for different cultures and compassion for all patients align with the Washington DOC mission and vision.

I would welcome an opportunity to interview for the position of Physician Assistant for the Monroe Correctional Complex. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Zachary Stevens', with a stylized flourish at the end.

Zachary Stevens, PA-C
MEDEX Northwest Physician Assistant Program
University of Washington School of Medicine

ZACHARY T. STEVENS

[REDACTED]
Bremerton, WA 98310
[REDACTED]
[REDACTED]

OBJECTIVE To practice broad medicine at a NHSC approved facility where I can provide high quality care to an underserved population

EDUCATION

2017 – 2019 **Master of Clinical Health Services**
MEDEX Northwest Physician Assistant Program
University of Washington School of Medicine—Seattle, WA

2011 – 2012 **A.A.S., Emergency Medical and Health Services**
Tacoma Community College Paramedic Program—Tacoma, WA

1997 – 2010 **M.A., Intercultural Studies**
Columbia International University—Columbia, SC

1988 – 1992 **B.S., Economics and Finance**
Virginia Polytechnic Institute and State University—Blacksburg, VA

SELECTED CLINICAL ROTATIONS

2019 **Inpatient Clerkship (4 weeks)**
University of Washington Medical Center – Seattle, Washington

- 240-hour rotation with UWMC Family Medicine Service

2019 **Homeless Urgent Care and Street Medicine (4 weeks)**
H4: Hawaii Homeless Healthcare Hui – Honolulu, Hawaii

- 90% of patient encounters were homeless, 65% ethnic minority

2018 **Family Medicine Preceptorship (16 weeks)**
Columbia Valley Community Health – Wenatchee, Washington

- 90% of patient encounters were below 200% of poverty, 67% ethnic minority

WORK EXPERIENCE

2009 – 2017

Paramedic (2012-2017) and EMT-Basic (2009-2012)

Bremerton Ambulance – Bremerton, WA

- Advanced from EMT-B to Paramedic with senior qualifications. Served as first responder covering Kitsap County, providing medical intervention for full range of emergency incidents.
- Treated persons experiencing low income and homelessness, mental illness, and incarceration.
- Advocated for underserved patients above and beyond required duties by volunteering 500 hours with West Sound Free Clinic, The Coffee Oasis, and other organizations in the Kitsap Continuum of Care Coalition. My involvement in the community outside of work allowed me to encounter patients in a different setting, understand their context, and provide a positive influence without diminishing their beliefs and values.

2006 – 2017

Professionals International – Bremerton, Washington

• **CEO (2010-2017) and Associate Director (2007-2010)**

Bremerton, Washington

- Recruited and led volunteers and paid staff to carry out the humanitarian mission of Professionals International, a nonprofit international relief and development organization.
- Added medical staff and physicians to establish two community clinics in India. One clinic provided primary care and home visits for women and children impacted by HIV/AIDS in Hyderabad. The other clinic provided primary care to the rural underserved of Himachal Pradesh.

• **Project Coordinator (2006-2007)**

Nusa Tenggara Barat, Indonesia

- Supervised six consultants from three nations working in NTB Province. Oversaw a Community Health Education project approved by the Indonesian Department of Education for medically underserved villages.

LICENSES AND CERTIFICATES

Washington State Physician Assistant License, 2019-2020 (PA61002670)
National Commission on Certification of Physician Assistants Certification 2019-2021 (1168660)
Advanced Cardiac Life Support, American Heart Association, 2018-2020
Basic Life Support, American Heart Association, 2017-2019

HONORS AND AWARDS

National Health Service Corps Scholarship Program Award (2017)
Academic Honors, Tacoma Community College (2012)
Academic Honors, Columbia International University (2010)
Academic Honors, Virginia Polytechnic Institute and State University (1992)
Golden Key Honor Society (1991)
Kappa Sigma Scholarship-Leadership Award (1990)


COMMUNITY SERVICE

2014 – 2017	West Sound Free Clinic – Silverdale, WA Welcome patients; explain how WSFC provides free medical care. Take and record vital signs, document patient's name and chief complaint, present documentation and patient to the provider on duty. Clinic serves persons experiencing low income and homelessness, migrant workers and other underserved populations in Kitsap County.
2013	The Coffee Oasis – Bremerton, WA Assisted in developing a job-training curriculum for at-risk youth in Kitsap County. Supervised homeless youth in the overnight shelter.

LANGUAGES

Bahasa Indonesia – Fluent
Spanish – Novice

EXHIBIT 2

From: Vandel, Wendy S. (DOC) [REDACTED] 
Subject: Conditional Offer and drug screen information
Date: November 12, 2019 at 4:14 PM
To: [REDACTED]



Hello

Thank you for accepting our conditional offer of employment for Advanced Care Practitioner position. We look forward to you joining the DOC family and will now begin our due diligence with the vetting, criminal history check and reference checks. Attached are several forms that you will need to complete to proceed with the process. Please read and sign that you understand the **conditional job offer**, complete the forms and email or fax back to me at (360) 407-3909.

It is required that you submit to a pre-employment drug screen. This will need to be completed by **5:00pm on Friday, November 15th** or your offer of employment may be delayed or terminated. Attached is the form you need to take in with you followed by a list of approved testing sites, please be sure to fills in the Collection Site section, and also bring the additional pages with you so the **account #s** are provided to the collection sites for billing purposes.

We do recommend calling first to make sure they can accept you. The testing facility will ask to see your photo Id. When you arrive let them know you are there for a pre-employment non-DOT drug test and hand them the drug screen forms so they will know who to send the results to.

Testing site:

The Doctor's Clinic #421592
9621 Ridgetop Blvd NW
Silverdale, WA 98383
[REDACTED]

8:30am—4:30pm M-F
Appointment required

Wendy Vandel
Health Services Recruiter
Recruitment & Diversity Team
Washington State Department of Corrections
[REDACTED] | **PO Box 41120, Olympia WA 98504**
Your career begins right here! jobs.doc.wa.gov



Conditional Job
Offer H...re.doc



PREA- Sexual
Miscon...ct.docx



wsdoc
centrali...ot.doc



Credentialing
Inform...6.docx



Auth to
Release.docx



REQUEST FOR CRIMINAL HISTORY RECORD INFORMATION WASIS/NCIC III CHECK NCIC / WACIC CHECK

☐ Routine ☐ Urgent

Date of Request: _____

Type of Request: ☐ Classification Update ☐ Visitor re: ☐ Volunteer
☐ Intake ☐ Offender ☐ Contract Employee
☐ PSI ☐ Furlough Sponsor ☐ Prospective Employee
☐ ESR / Risk ☐ Update Field File ☐ Firearms Requalification
☐ OOS Investigation ☐ Update Central File ☐ Vendor/Maintenance Worker
☐ Release/ORP/Parole Investigation ☐ Wants and Warrants ☐ Other _____

REQUIRED DATA:

DOC Number	SID Number	FBI Number	Full Legal Name (Last, First, Middle)
Date of Birth	Sex	Race	

OTHER DATA:

Maiden Name / Alias	Birthplace	
Maiden Name / Alias	Citizenship	
Maiden Name / Alias	Hair	Eyes
SSN	Height	Weight
Current Washington State Driver's License <input type="checkbox"/> Yes <input type="checkbox"/> No	License Number:	

Mail Stop:

Address of Submitting Office
(if no mail stop)

☐ INTAKE/FOS – CCO SUBMIT FINGERPRINT CARDS TO YOUR LOCAL RECORDS OFFICE.

PERSON MAKING REQUEST:

Name(Print)	Title	Date
-------------	-------	------

Date Initials


Check boxes for **Employment** and **Visitor** requests only.

Clear Criminal History ☐ Yes ☐ No
Clear Wants and Warrants ☐ Yes ☐ No

The contents of this document may be eligible for public disclosure. Social Security Numbers are considered confidential information and will be redacted in the event of such a request. This form is governed by Executive Order 00-03, RCW 42.56, and RCW 40.14.



Criminal
Disclosure.docx

From: Zach Stevens [REDACTED] 
Subject: Re: Conditional Offer and drug screen information
Date: November 13, 2019 at 11:21 PM
To: Vandel, Wendy S. (DOC) [REDACTED]
Cc: Bettencourt, Renee M. (DOC) [REDACTED]

Hi Wendy,

Please find attached the documents you requested.

cc: Renee Bettencourt

Thank you!

Zachary Stevens, PA-C
MEDEX Northwest
[REDACTED]

From: Vandel, Wendy S. (DOC) [REDACTED]
Sent: Tuesday, November 12, 2019 4:13 PM
To: Zach Stevens [REDACTED]
Subject: Conditional Offer and drug screen information

Hello

Thank you for accepting our conditional offer of employment for Advanced Care Practitioner position. We look forward to you joining the DOC family and will now begin our due diligence with the vetting, criminal history check and reference checks. Attached are several forms that you will need to complete to proceed with the process. Please read and sign that you understand the **conditional job offer**, complete the forms and email or fax back to me at (360) 407-3909.

It is required that you submit to a pre-employment drug screen. This will need to be completed by **5:00pm on Friday, November 15th** or your offer of employment may be delayed or terminated. Attached is the form you need to take in with you followed by a list of approved testing sites, please be sure to fills in the Collection Site section, and also bring the additional pages with you so the **account #s** are provided to the collection sites for billing purposes.

We do recommend calling first to make sure they can accept you. The testing facility will ask to see your photo Id. When you arrive let them know you are there for a pre-employment non-DOT drug test and hand them the drug screen forms so they will know who to send the results to.

Testing site:

The Doctor's Clinic #421592
9621 Ridgetop Blvd NW
Silverdale, WA 98383
[REDACTED]

8:30am—4:30pm M-F
Appointment required

Wendy Vandel

Health Services Recruiter

Recruitment & Diversity Team

Washington State Department of Corrections

██████████ | PO Box 41120, Olympia WA 98504

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01061402.PDF



01061404.PDF



01061405.PDF




01061406.PDF



01061407.PDF

EXHIBIT 3

From: Zach Stevens [REDACTED] 
Subject: Re: Conditional Offer and drug screen information
Date: November 13, 2019 at 11:21 PM
To: Vandel, Wendy S. (DOC) [REDACTED]
Cc: Bettencourt, Renee M. (DOC) [REDACTED]

Hi Wendy,

Please find attached the documents you requested.

cc: Renee Bettencourt

Thank you!

Zachary Stevens, PA-C
MEDEX Northwest
University of Washington School of Medicine
[REDACTED]

From: Vandel, Wendy S. (DOC) [REDACTED]
Sent: Tuesday, November 12, 2019 4:13 PM
To: Zach Stevens [REDACTED]
Subject: Conditional Offer and drug screen information

Hello

Thank you for accepting our conditional offer of employment for Advanced Care Practitioner position. We look forward to you joining the DOC family and will now begin our due diligence with the vetting, criminal history check and reference checks. Attached are several forms that you will need to complete to proceed with the process. Please read and sign that you understand the **conditional job offer**, complete the forms and email or fax back to me at (360) 407-3909.

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8:30am—4:30pm M-F
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01061404.PDF



01061405.PDF



01061406.PDF



01061407.PDF

EXHIBIT 4

Washington State Department of Corrections (DOC)
CONDITIONAL OFFER OF EMPLOYMENT

NAME: Zachary Tilton Stevens

Congratulations! Our overall impression is that you have what it takes to be a successful DOC health care professional. This offer of employment is conditional upon the results of the information that will be gathered through the following processes that will help the Department of Corrections determine if your capabilities and background to date meet the standards to become a successful employee. The information gathering processes are:

- A background investigation of previous criminal history.
- Verification of job performance with references and previous employers.
- A drug test within ~~24 hours of this offer~~ email states by Friday 11/15/19 ^{ZTS}
- Base line TB reading. (if completed in the last year)
- BLS or ACLS certification.
- Verification of current license for Washington State (free of actions).
- Final review and approval of all information contained in the hiring packet by the Appointing Authority.

All of the information acquired during the interview and the above listed processes will be used to make a determination about a final offer of employment. Any significant discrepancies in the information you give during any of the steps above and what was provided on the application, or during the interview, can be the basis for rescinding the conditional employment offer.

If the results of the information received from the above processes are satisfactory, you will receive a final offer of employment.

THIS IS NOT AN OFFER OF IMMEDIATE EMPLOYMENT. DO NOT GIVE NOTICE OR QUIT YOUR PRESENT JOB. This conditional job offer is not a guarantee of future employment with the Department of Corrections.

If you have questions, please contact Wendy Vandel [REDACTED]

I have read and fully understand the nature of this conditional offer of employment.



Signature

11/13/2019

Date

HR Signature

Date

EXHIBIT 5

From: Awad, Areig A. (DOC) [REDACTED]
Subject: RE: Advanced Care Practitioner (PA-C) position
Date: November 20, 2019 at 7:42 AM
To: Zach Stevens [REDACTED]

Awesome! Yes, I will give you a call. Forgive me if I am a few mins late when I call, I will just be leaving work that time.

Thanks talk to you soon!

From: Zach Stevens [REDACTED]
Sent: Tuesday, November 19, 2019 10:21 PM
To: Awad, Areig A. (DOC) [REDACTED]
Subject: Re: Advanced Care Practitioner (PA-C) position

Dr. Awad,

No worries and thanks for getting back to me!

Let's plan to talk around 4:30 PM tomorrow. Would you like to initiate the call? My number is [REDACTED].

Thank you,

Zachary Stevens, PA-C
MEDEX Northwest
University of Washington School of Medicine
[REDACTED]

From: Awad, Areig A. (DOC) [REDACTED]
Sent: Tuesday, November 19, 2019 9:24 PM
To: Zach Stevens
Subject: Re: Advanced Care Practitioner (PA-C) position

Hi Zach,

I am so sorry, it has been a busy week. We can chat tomorrow evening around 415 or any time after that.

Thank

Areig

Sent from my iPhone

On Nov 14, 2019, at 10:03 PM, Zach Stevens [REDACTED] wrote:

Hi Dr. Awad,

Thank you for the message! I received it just as I was jotting some questions for you.

I enjoyed meeting the staff at TRU. It appears that after Trish leaves in February, I will be the most senior provider at TRU. I want to be set up for success and, to that end, I think it would be helpful to discuss how I will be trained and supported during my first 6-12 months. I also have some questions about the schedule and scope of practice.

Would you have time for a phone call tomorrow afternoon, or early next week?

Zach

Zachary Stevens, PA-C
MEDEX Northwest
University of Washington School of Medicine
[REDACTED]

From: Awad, Areig A. (DOC) [REDACTED]
Sent: Thursday, November 14, 2019 9:48 PM
To: Zach Stevens
Subject: Re: Advanced Care Practitioner (PA-C) position

Hi Zach,

Hope you are doing well. Hope you enjoyed your time at TRU. I think you will be a phenomenal fit there. Lots to learn, but it will be second nature after some time. Let me know if you have any questions, I will happy to answer them.

Areig

Sent from my iPhone

On Nov 3, 2019, at 3:33 PM, Zach Stevens [REDACTED]
wrote:

Hi, Dr. Awad,

Thank you for the opportunity to interview for the Advanced Care Practitioner position at Monroe Correctional Complex. I enjoyed meeting you, Bill and Michelle and receiving a tour of the Reformatory and infirmary.

reformatory and primary.

After my interview, I contacted one of my classmates who did a clinical rotation at Twin Rivers Unit, Sarah Larson. Sarah had very positive things to say about her experience at TRU. She says "hi!"

I am persuaded that my interests and qualifications are a match for this position, and I would like to proceed in the selection process. I would welcome the opportunity to tour TRU and meet the full-time provider who works there. I also have some follow-up questions for you that I could ask in person or, if you prefer, via email.

Thank you for considering my candidacy for this position. I look forward to hearing from you regarding a tour and possible offer of employment.

Sincerely,

Zach

Zachary Stevens, PA-C
MEDEX Northwest
University of Washington School of Medicine
[REDACTED]

EXHIBIT 6

From: Vandel, Wendy S. (DOC) [REDACTED]
Subject: RE: My candidacy
Date: February 13, 2020 at 11:43 AM
To: Zach [REDACTED]

Hello Zach

Thank you for your interest in career opportunities as a Physician Assistant PA-C with the State of Washington Department of Corrections. On November 13th 2019 we made you a conditional offer of employment based upon the results of information gathered through our vetting process and final review by the Healthcare Appointing Authority.

After thorough exploration and review of the resulting information, it was determined that one or more of these conditions were not met to our satisfaction and therefore the conditional offer of employment is vacated effective this date.

We appreciate your interest in a correction's career and wish you success in your search for a new challenges in your career.

Sincerely,

Wendy Vandel

From: Zach [REDACTED]
Sent: Saturday, February 8, 2020 10:40 PM
To: Vandel, Wendy S. (DOC) [REDACTED]
Subject: Re: My candidacy

Dear Wendy,

I am reaching out to you for a couple of reasons, one, to provide you with my updated email address. Please direct any future correspondence to my new address: [REDACTED]

I'm also eager to know the status of my request below. Has the attorney general gotten back to you about this? When may I expect a response?

Sincerely,

Zach Stevens, PA-C

On Dec 9, 2019, at 5:35 AM, Zach Stevens [REDACTED] wrote:

Wendy,

As discussed in our phone conversation Monday, I remain interested in the position of Advanced Care Practitioner (Physician Assistant) for the Monroe Correctional Complex (MCC). I appreciate that the hiring team at MCC found me to be a strong candidate with only one exception: that I choose not to provide gender identity-affirming therapies such as hormone therapy and surgery. This requirement was not disclosed to me prior to my accepting your conditional offer.

I wish to clarify and expand upon my objections to providing these therapies in order to ensure that my candidacy receives fair consideration. There are ethical and religious reasons for my position that may not have been presented clearly or fully in my conversation with Evie Green or in subsequent conversations. When Evie called me on Friday, November 22, it was unscheduled and unexpected. She led the interview by asking about my religious beliefs which seemed strange and caught me off guard. Her tone was not accusatory, but I thought the question was meant to protect the transgender population at MCC from religious bigotry. I am not a bigot; I sincerely want to provide the highest quality care to transgender patients and to treat them with utmost consideration and respect. I emphasized for Evie the poor evidence base and known risks of gender identity-affirming hormone therapy and surgery to provide context and support for my decision not to provide these therapies. I led with these evidentiary concerns because I feared being labeled a bigot and losing my offer to work at MCC.

The available evidence or lack of evidence is not, however, the sole basis for my decision not to provide these therapies. My Christian faith also informs and compels me to take a conservative approach in treating gender dysphoria. My convictions on this issue continue to develop as I consult the evidence, my experiences caring for transgender patients, and my faith. My Christian worldview informs my belief that transgender persons who receive gender identity-affirming hormone therapy or surgery may tend to do poorly in the long term. I do not have religious objections to treating transgender persons generally. I do have a religious objection to being a provider myself of gender identity-affirming therapies such as hormone therapy and surgery.

Since there has been strong interest among all parties in my being hired, I would like to request the protections and provisions available to me as a Christian medical provider under the law, including a religious accommodation so that I may be hired to this position. In the meantime, I am continuing my job search. Please acknowledge receipt of this email and let me know if an accommodation can be made. I may be entertaining other offers in the near future, so time is of the essence.

I am grateful for the consideration I have received from you and the other DOC officials and representatives I have met.

Sincerely,

Zach Stevens, PA-C

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):

☐ FEPA☒ EEOC

Washington Human Rights Commission

and EEOC

State or local Agency, if any

Name (Indicate Mr., Ms., Mrs.)

Zachary T Stevens

Home Phone (Incl. Area Code)

Date of Birth

Street Address

City, State and ZIP Code

Bellevue, WA 98015

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 are named, list under PARTICULARS below.)

Name

Washington State Department of Corrections Monroe-Correctional Complex

No. Employees, Members

500+

Phone No. (Incl. Area Code)

Street Address

City, State and ZIP Code

16550 177th Avenue SE, Monroe, WA 98272

Name

No. Employees, Members

Phone No. (Incl. Area Code)

Street Address

City, State and ZIP Code

DISCRIMINATION BASED ON (Check appropriate box(es).)

☐ RACE☐ COLOR☐ SEX☒ RELIGION☐ NATIONAL ORIGIN☒ RETALIATION☐ AGE☐ DISABILITY☐ GENETIC INFORMATION☐ OTHER (Specify)

DATE(S) DISCRIMINATION TOOK PLACE

Earliest

Latest

2/13/20

Feb 13, 2020

☐ CONTINUING ACTION

THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)):

Please see attached narrative.

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 or 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.

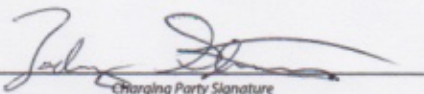
SIGNATURE OF COMPLAINANT

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE
(month, day, year)

Date

Charging Party Signature

10/17/2020



WASHINGTON SHORT-FORM INDIVIDUAL ACKNOWLEDGMENT

RCW 42.45.140

State of Washington

County of

King

} ss.

This record was acknowledged before me on

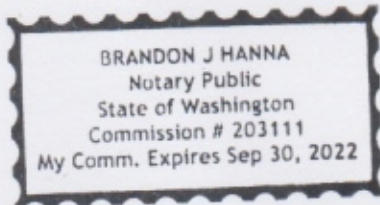
October 17, 2020

Date

by

Zachary T Stevens

Name(s) of Individual(s)



[Signature]

Signature of Notarizing Officer

Notary Public

Title (Such as "Notary Public")

Place Notary Seal and/or Stamp Above

My commission expires:

9/30/2022

OPTIONAL

Completing this information can deter alteration of the document or
fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document:

Charge of Discrimination

Document Date:

10/17/2020

Number of Pages:

Signer(s) Other Than Named Above:

N/A

CHARGE OF DISCRIMINATION

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Charge Presented To:

Agency(ies) Charge No(s):

☐ FEPA☒ EEOC

Washington Human Rights Commission

and EEOC

State or local Agency, if any

THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)):

Please see attached narrative.

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.

Date

Charging Party Signature

NOTARY – When necessary for State or 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)

Print Form

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 party and respondent and the actions or policies complained of. Without a written charge, EEOC will ordinarily not act on the complaint. Charges under Title VII, 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.