

OFFICE OF DIVERSITY AND EQUITY

Office of Diversity and Equity Overview

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- Policy** The Department of Children and Families' Office of Diversity and Equity ("ODE") shall:
- Provide a process to resolve allegations of discrimination raised by employees, applicants seeking employment and members of the public receiving services from DCF; and
 - Be responsible for drafting, promoting and enforcing DCF's Affirmative Action Plan

The Director of the Office of Diversity and Equity shall report to the Commissioner.

Legal reference: Conn. Gen. Stat. §46a-68.

- Annual Notice** This policy shall be distributed annually to all employees by the Office of Diversity and Equity and shall be posted on the Department's internet and intranet websites

- Responsibilities of ODE** The Office of Diversity and Equity shall be responsible for mitigating any discriminatory conduct within DCF and to investigate complaints filed with the ODE, except if any such complaint has been filed with the Commission on Human Rights and Opportunities (CHRO) or the Equal Employment Opportunity Commission (EEOC).

- Employees to be informed of Legal Options regarding discrimination** When the Office of Diversity and Equity meets with a DCF employee regarding an allegation of discrimination, the employee shall be advised by the ODE of his or her legal rights under federal and state law. The employee shall be advised of his or her right to file a complaint with the CHRO, EEOC, and United States Department of Labor – Wage and Hour Division and any other federal, state or local agencies that enforce laws concerning discrimination in employment.

- Information & Counseling to employees regarding discrimination** The staff of the Office of Diversity and Equity shall provide information and counsel employees with questions or concerns about DCF's anti-discrimination policies. These meetings shall take place in a private area. Issues discussed during the counseling sessions shall be confidential, except when disclosure is required by law.

- Who May File a Complaint regarding discrimination** Any person applying for employment or currently employed by DCF who believes that he or she has been subject to discrimination based on age, ancestry, color, gender identity or expression, transgender, genetic information, veteran's status, intellectual disability, learning disability, marital status, physical disability (including blindness), national origin, race, religion, sex or sexual orientation, may file a complaint with the Office of Diversity and Equity. Any person receiving services from DCF who believes that he or she has been subject to discrimination may file a complaint with the Office of the Ombudsman.

Cross Reference: Policy 1-3 "Civil Rights"

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Procedure for Discrimination Complaint A complaint may be submitted verbally or in writing to the Office of Diversity and Equity. When possible, a complaint shall be submitted using the DCF-104, "Discrimination Complaint Intake Form." However, every complaint, regardless of the method of reporting, shall contain the following information:

- name of complainant;
- work location (if complainant is a DCF employee);
- location of incident(s);
- a brief description of why the complainant believes he or she was discriminated against; and
- when the incident(s) occurred.

Timeline for Resolution of Discrimination Complaint The Office of Diversity and Equity shall complete its investigation and file its written report and proposed recommendations with the Commissioner within 90 days of the filing of the complaint.

Commissioner Review The Commissioner shall review all investigations conducted by the Office of Diversity and Equity and shall have final authority to accept or modify the recommendations of the investigation.

Notice of Results of Investigation Notice of all results of the final investigation shall be provided to the complainant and the respondent.

Right to Appeal If the complainant disagrees with a finding that a complaint is not substantiated, the complainant may submit an appeal in writing to the Commissioner or designee within 10 days of receipt of the written notification of the results.

The Commissioner or designee shall:

- Conduct a review; and
- Notify the complainant in writing of the results of the review.

Retaliation Prohibited DCF strictly forbids retaliation against any person who reports discrimination or participates in an internal or external investigation concerning allegations of discrimination. Employees shall not retaliate against, coerce, intimidate, harass or interfere with any person who raises allegations of discrimination or with an employee who aids or encourages a person to raise allegations of discrimination. DCF shall investigate and take all necessary actions to address any allegations of retaliation.

Training Staff members of the Office of Diversity and Equity shall receive periodic training in counseling and investigation procedures.

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Harassment and Discrimination Free Workplace

All employees have a right to a work environment characterized by respect and dignity. The Department of Children and Families (DCF) shall expect that all employees conduct themselves in a manner that reflects a respectful and dignified environment and one free from conduct that could be considered harassing, coercive or discriminatory (during and outside of work hours). Such conduct, when based on a person's membership in a protected class, is in violation not only of this policy but may also constitute a violation of state and federal statutes.

DCF Supervisors and managers shall be responsible for ensuring that the work environment over which they have authority is free of harassing and discriminatory conduct, for addressing any acts of which they become aware that are in violation of this policy, and for reporting violations as required by this policy.

Definitions

Protected class means those persons identified in state and federal law with characteristics that may be the basis of discriminatory acts including race, color, religious creed, age, marital status, pregnancy, national origin, ancestry, genetic makeup, sex, sexual orientation, gender identity or expression, veteran status, criminal record, present or past history of mental disorder, intellectual disability, learning disability or physical disability including but not limited to blindness.

Discrimination means unfair or unequal treatment of an individual (or group) based on a protected class, unless such action is based on a Bona Fide Occupational Qualification (BFOQ).

Harassment (including Sexual) means a form of employment discrimination that is characterized by unwelcome offensive conduct based on an individual's protected class. Offensive conduct may include, but is not limited to, offensive jokes, slurs, epithets or name calling, physical assaults or threats, intimidation, ridicule or mockery, insults or put-downs, offensive objects or pictures, and interference with work performance.

Legal References: Title VII of the Civil Rights Act of 1964, Sex Discrimination (SD) Act of 1984, CGS Article First – sec. 20 (Equal Protection. No Segregation or discrimination.), CT Gen. Stat. Sec. 46a-51 et seq. and Sec. 46a-81c and 29 CFR 1625.6 – Bona Fide Occupational Qualifications (BFOQ)

Reporting Requirements

Any employee who is affected by acts of discrimination, harassment or sexual harassment in violation of this policy is encouraged to report such acts to any DCF supervisor or manager, the Office of Diversity and Equity (ODE), Human Resource Management (HR) or the Commissioner's office.

Such reports may be made verbally or in writing.

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Reporting Requirements (Continued)

Employees should be aware that any act of harassment or discrimination impacts not only them, but the workplace overall and, therefore, will be acted on. Employees cannot expect a supervisor or manager of DCF to not report the matter for further review by the Office of Diversity and Equity or Human Resource Management.

Any supervisor, manager or employee of Human Resource Management or the Commissioner's Office who, through any means whether written, verbal or through observation, becomes aware of conduct that has the potential to violate this policy shall immediately report that conduct to the Office of Diversity and Equity for consideration of investigation and or resolution, regardless of whether a complaint has been raised or whether the employee has requested that the matter remain confidential.

When complaints are made directly to ODE, the ODE will inform the Director of Human Resource Management of the complaint and coordinate a response.

Affirmative Action and Employment Goals

The Office of Diversity and Equity shall produce, on an annual basis and in cooperation with the Connecticut Commission on Human Rights and Opportunities, an Affirmative Action Plan that commits DCF to a program of affirmative action in all aspects of personnel and administration.

The ultimate responsibility for promoting and enforcing affirmative action rests with the Commissioner who shall account for the success or failure of the plan.

Legal reference: Conn. Gen. Stat. §46a-68.

Location of Affirmative Action Plan

The Office of Diversity and Equity shall post DCF's Affirmative Action Plan on the DCF internet and intranet websites. A hard copy of the Plan shall also be available to employees and to the public to review in the office of the Director of Diversity and Equity.

Comments on Affirmative Action Plan

Employee and public comments regarding the Affirmative Action Plan shall be welcome at any time.

Comments may be submitted to the Director of Diversity and Equity through email or through regular mail at the Department of Children and Families, 505 Hudson Street, Hartford, Connecticut 06106.

Comments may also be made by calling the ODE at 860-550-6303.

Employment Goals

The Office of Diversity and Equity shall prepare employment goals on an annual basis by using labor market and census data in comparison with DCF's workforce.

ODE shall establish programmatic goals to address identified obstacles to equal employment opportunities and to develop program initiatives to provide equal access to DCF programs.

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Employment Goals (Continued)

Goals shall be provided to all employees on an annual basis via the DCF intranet and updated on a regular basis.

The implementation of annual employment and programmatic goals shall be monitored and analyzed throughout the year, as well as formally analyzed on an annual basis. The analysis shall compare all goals previously set in the Affirmative Action Plan with the goals which were attained during the given reporting year.
