STATE OF CONNECTICUT
DEPARTMENT OF MOTOR VEHICLES

'COMPLAINT OF DISCRIMINATION' PROCEDURE

The Department of Motor Vehicles (DMV) has established this 'Complaint of Discrimination' Procedure as a mechanism for the review and resolution of allegations of discrimination based upon race (inclusive of hair texture and protective hairstyles), color, sex (including pregnancy), sexual harassment, religious creed, gender identity or expression, marital status, age, national origin, sexual orientation, ancestry, physical disability (including but not limited to blindness) or learning disability, intellectual disability present or past history of mental disability, workplace hazards to reproductive systems, past or present criminal record (in state employment and licensing) or genetic information, veterans status. It is intended to provide an expeditious resolution of complaints and to assure that legal options for filing complaints with enforcement agencies remain open to all employees.

An employee, an applicant for employment with DMV or any member of the public conducting business with this agency has the right to file a complaint with the Office of Diversity Equity, and Inclusion (DEI) if he/she feels a victim of discrimination or harassment during the performance of his/her job or in the programs or services provided by agency staff. Complaints may also be referred by a manager/supervisor who has received a complaint from a staff member or applicant.

Initial Counseling:

The DEI Office is located in DMV's central office at 60 State Street, Wethersfield, CT and this office will conduct all counseling and investigations of alleged incidences of discrimination and/or harassment. They can be reached at (860) 263-5264. The complainant, the individual making a complaint, is advised of his/her rights under State and Federal laws, is emphatically reassured that filing such a complaint will not adversely affect his/her treatment on the job or, in the case of an applicant for employment, limit his/her prospects for employment with the agency, and is given a copy of this procedure.

An integral and essential aspect of this process is confidentiality. All counseling provided is done so on a strictly confidential basis, to the extent desired by the individual seeking counsel. Any records associated with a counseling session shall be kept confidential except where disclosure is required by law.

Complaint Protocol:

1. Barring extenuating circumstances and/or issues, complaints should be made in writing to the Office of Diversity, Equity and Inclusion, (DEI). Reasonable accommodations and other adjustments will be made as necessary. When possible, complaints should be submitted on the 'DEI Complaint Form' attached. Timeframes for filing, processing and resolution should not exceed ninety (90) days. Timeframes could be extended where necessary and as deemed appropriate by the Office of DEI. Should an investigation exceed the 90-day timeframe, the complainant will be notified of their right to file with external agencies. All complainants retain the right to pursue a remedy through other administrative, collective bargaining and/or legal channels. Complainants also have a right to an attempt by the DEI Office to an informal resolution of their complaint if desired. (With allegations of sexual harassment, please refer to the DMV Sexual Harassment Prevention Policy and Complaint Procedure.)

    - For complaints reduced to writing, the 'DEI Complaint Form' should include the following information:

- The full name and address of the complainant;
- The full name and work address of the alleged perpetrator (respondent);
- A brief description of the alleged act of discrimination together with the location and date(s) of the incident(s); and,
- The complainant's signature.

2. The DEI Office responds to the complainant and notifies the accused party that a complaint has been filed against him/her prior to commencement of the investigation. In addition, the accused party is advised of his/her right to representation by the union or any other appropriate representative of his/her choice.

3. Barring extenuating circumstances outside of the investigators control, the DEI Office will conduct an investigation and provide a resolution, if one is possible, within ninety (90) days of receipt of the complaint and notify all involved parties in writing. This will include notification to the complainant of his/her right to appeal the results to the Office of the Commissioner of Motor Vehicles.

4. Should the complainant elect to appeal the decision, he/she must do so in writing to the Office of the Commissioner of Motor Vehicles within ten (10) business days after receipt of the complaint resolution proposed by the DEI Office. Failure to appeal within this period shall be interpreted as acceptance of this resolution.

5. The Commissioner or his/her designee will review the case to determine what, if any additional information is needed. In the event that additional information is required from the appellant, he/she will be provided reasonable advance notice of a meeting and will be advised of his/her right to present relevant information at that time.

6. The Commissioner or his/her designee will render a written decision regarding the appeal, no later than thirty (30) business days from the date of the filing of the appeal which will be sent to the appellant. Should this decision differ from the findings of the investigation, it will also be sent to all parties involved and the DEI Office. **The decision of the Commissioner or his/her designee is final.** This however, does not preclude the complainant from pursuing other means of resolution under collective bargaining agreements and/or federal and/or state law.

This process allows a total of ninety (90) days from the date of the alleged discriminatory act for the filing, processing and resolution of a complaint. Every reasonable effort will be made to maintain this timetable. **In those instances where it is not possible to conclude the investigation in this timeframe, both parties will be notified.**

Protection from Retaliation:

An employee who files a complaint or seeks counseling on affirmative action matters will be advised of his/her legal right to file complaints with the Connecticut Commission on Human Rights and Opportunities; the United States Equal Employment Opportunity Commission; the United States Department of Labor, Wage and Hour Division; and any other agency, state, federal or local that enforces laws concerning discrimination in employment.

The Department of Motor Vehicles guarantees all employees that retaliatory action of any kind against an employee who files a complaint or participates in an investigation regarding a complaint will not be tolerated. However, an employee who knowingly files a false complaint and/or provides the agency with false information may be subjected to disciplinary action.

Every reasonable effort will be made to maintain all time frames noted above. However, time periods may be extended due to extenuating circumstances, and/or by mutual agreement of all parties for good cause. Again, time frames established in no way prohibit the complainant from pursuing other means of resolution under federal and/or state law.

All records of complaints and dispositions thereof shall be maintained and regularly reviewed by the Office of Diversity, Equity, and Inclusion who will pay particular attention to the detection of any patterns in the nature of the complaints. All such records shall be retained on a strictly confidential basis, except where disclosure is required by law.

All employees are expected to cooperate fully with all complaint investigations and any actions taken by the DMV as a result of such investigations.