



STATE OF CONNECTICUT
DEPARTMENT OF SOCIAL SERVICES
OFFICE OF THE COMMISSIONER

PROCEDURES FOR SEXUAL HARASSMENT COMPLAINT PROCESSING

These procedures for Sexual Harassment Complaint Processing are part of the Affirmative Action Discrimination Complaint Procedure.

The Affirmative Action Division shall to the extent possible, be discrete in its handling of sexual harassment complaints. All records pertaining to sexual harassment complaints are maintained in separate, limited access files. Information or materials from these files are made available only as necessary for purposes of the agency's investigation of the complaint and as required by law.

The procedures for Sexual Harassment Complaint Processing are as follows:

1. Complainants shall report any incident of sexual harassment to the Affirmative Action Division. The Affirmative Action Division will receive complaints in written form or may assist the complainant in preparing a statement of the allegations.

The Affirmative Action Division shall initiate an investigation of the complaint within 15 business days of its receipt of a complaint. Reasonable efforts shall be made to complete its investigation within 90 days of receipt of a complaint.

If someone verbally reports an incident of sexual harassment to the Affirmative Action Division, but the reporter does not file a written complaint, the Affirmative Action Division shall, nevertheless, promptly:

- Follow-up and/or investigate an alleged incident; and
- Take appropriate action to correct and prevent any illegal conduct it finds to have occurred.

As appropriate and as agreed to by the complainant, the Affirmative Action Division may make a resource person trained to counsel on sexual harassment issues available to the complainant to provide support for the complainant.

Persons who maliciously and falsely allege sexual harassment are subject to disciplinary action.

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2. Upon receiving a complaint of sexual harassment and as part of its investigation, the Affirmative Action Division, or other person(s) designated by the Affirmative Action Division, shall seek to meet with the individual who is alleged to have harassed the complainant. This individual will have the opportunity to respond to the allegations.
3. The Affirmative Action Division staff shall investigate all reported incidents of sexual harassment. The investigation shall include, but not be limited to, the following:
 - a. Examination of agency records of the individual against whom the sexual harassment complaint was made to determine if any prior complaint pattern exists.
 - b. Interviews with individuals, including but not limited to the supervisor and colleagues of the individual against whom the complaint was made, in order to gather all necessary information.
 - c. Identification and interviews with witnesses (if any) of the incident.
4. If the Affirmative Action Division concludes that there has been an incident of sexual harassment, the Affirmative Action Division, in conjunction with Human Resources, shall assess the severity of the offense and may recommend one or more action(s), which may include, but are not limited to, the following:
 - A written reprimand;
 - Sensitivity training, sexual harassment awareness training, or any other training deemed appropriate;
 - Suspension;
 - Demotion;
 - Termination.
5. Upon completing its investigation, the Affirmative Action Division shall make written recommendation(s) to the Commissioner of Social Services. The Commissioner or his/her designee shall approve, reject, or modify, in writing, the Affirmative Action Division's recommendation(s).

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6. Once acted upon by the Commissioner, the Affirmative Action Division shall send its report and the Commissioner's decision to Human Resources. If the allegation of sexual harassment was substantiated, Human Resources will determine whether the opportunity for a pre-disciplinary hearing should or must be provided to the individual against whom the sexual harassment complaint was made.
7. The Affirmative Action Division or Human Resources will inform the complainant and the individual against whom the complaint was made, in writing, of the outcome of the investigation and of their appeal rights.
8. If an appeal is not submitted within 10 calendar days of the date on the written notification, the Commissioner's decision becomes a directive from the Commissioner.

Internal Appeal Process:

If the complainant or the individual against whom the sexual harassment complaint was filed is dissatisfied with the Affirmative Action Division's report and/or the Commissioner's decision, either person may appeal to the Commissioner or the Commissioner's designee. The appeal must be in writing and must be submitted to the Commissioner or the Commissioner's designee within ten calendar days of the date on the written notification of the Commissioner's decision.

The appeal should contain information specific to:

- the reason for the appeal;
- the basis for disagreement with the report or decision; and
- any other evidence not previously provided.

The Commissioner or the Commissioner's designee shall:

- review the information submitted by the individual who is appealing;
- review again the report submitted by the Affirmative Action Division; and
- notify the individual who filed the appeal, in writing, of the results of the review.

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External Appeal Process:

In addition to, or in place of, the Department's internal complaint process described herein, a complainant who believes that he or she has been the subject of sexual harassment may file a grievance pursuant to the terms of his or her collective bargaining agreement or the provisions of the State Personnel Act, if the employee is not in a collective bargaining unit.

A complainant may also file a complaint with any of the government agencies listed on the next page. Connecticut law requires that a formal written complaint be filed with the Connecticut Commission on Human Rights and Opportunities (CCHRO) within 180 days of the date when the alleged sexual harassment occurred. The Department shall cooperate fully with the external agencies and make available any information or materials pertaining to its investigation and the sexual harassment complaint.

The Connecticut Commission on Human Rights & Opportunities

Southwest Region

350 Fairfield Avenue, 6th Floor
Bridgeport, CT 06604
Telephone: (203) 579-6246

Eastern Region

100 Broadway
Norwich, CT 06360
Telephone: (860) 886-5703

West Central Region

Rowland State Government Center
Suite 210
Waterbury, CT 06702
Telephone: (203) 805-6530

Capitol Region

999 Asylum Avenue
Second Floor
Hartford, CT 06105
Telephone: (860) 566-7710

The Equal Employment Opportunities Commission (E.E.O.C.) Area Office

JFK Federal Building
Room 409 B
Government Center
Boston, MA 02203
Telephone: (617) 565-3200

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Other external agencies:

United States Department of Labor, Wage and Hour Division (W.H.D.)

William Cotter Federal Building
135 High Street, Room 210
Hartford, CT 06103
Telephone: (860) 240-4160

New Haven CT Area Office
150 Court Street, Room 208
New Haven, CT 06511
Telephone: (203) 773-2249

United States Department of Health and Human Services (Region 1)

John F. Kennedy Federal Building
Room 1875
Boston, MA 02203
Telephone: (617) 565-1340

United States Department of Agriculture (USDA) (SNAP Program)

Director, Office of Adjudication
1400 Independence Avenue, S.W.
Washington, D.C., 20250-9410
Telephone: (866) 632-9992 (Fax) (202) 690-7442 or email at:
Program.intake@usda.gov

The Department of Energy (DOE)

Director, Federally Assisted Programs Division
Office of Equal Opportunity
Department of Energy
Washington, D.C. 20585

Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at 800-877-8339; or (800) 845-6136 (Spanish).

And any other agencies; state, federal or local, that enforce laws concerning discrimination in employment.

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Guarantee of Non-Retaliation

No person shall be restrained, intimidated, threatened, coerced or discriminated against by any administrative/supervisory personnel or associates because he/she made a complaint, testified, assisted in or participated in an investigation, proceeding or hearing. Such actions are a protected activity. The protection from adverse action is held to be inviolate by the State Department on Aging and alleged violations by a person(s) are to be brought immediately to the attention of the DSS Affirmative Action Director by the complainant, by his/her representative or by any other adversely affected person, for investigation and appropriate disciplinary action.

All employees, clients and grantees of the Department of Social Services shall have the right to make a complaint under this procedure, regardless of protected group or other status, classification or length of services.