

# ATTACHMENT A



## STATE OF CONNECTICUT Office of Policy and Management

### **Criminal Justice Policy and Planning Division**

(OPM/CJPPD)

Effective Date: 6/25/2014

Policy for Responding to Discrimination Complaints from Employees of OPM/CJPPD's  
Sub-recipients under the U.S. Department of Justice Grant Programs

#### **I. Purpose**

The purpose of this policy is to establish procedures regarding complaints of discrimination by employees against a sub-recipient funded by a Department of Justice (DOJ) grant.

#### **II. Policy**

All employees and applicants of grant sub-recipients shall be treated equally regardless of race, color, national origin, sex, religion, and disability. If the subgrantee receives funding under the Violence Against Women Act of 1994, they are also prohibited from discriminating on the bases of sexual orientation and gender identity. Sub-recipients are required to comply with all applicable federal laws regarding employment discrimination as a condition of implementing funding from DOJ and certify compliance with the following statutes upon acceptance of the grant award:

- The Omnibus Crime Control and Safe Streets Act of 1968, which prohibits discrimination on the basis of race, color, national origin, religion, or sex in the delivery of services and employment practices (42 U.S.C. § 3789d(c)(1)), and the DOJ implementing regulations at 28 C.F.R. Part 42, Subpart D;
- Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination on the basis of disability in the delivery of services and employment practices (29 U.S.C. § 794), and the DOJ implementing regulations at 28 C.F.R. Part 42, Subpart G;
- Title II of the Americans with Disabilities Act of 1990, which prohibits discrimination on the basis of disability in the delivery of services and employment practices (42 U.S.C. § 12132), and the DOJ implementing regulations at 28 C.F.R. Part 35;
- Title IX of the Education Amendments of 1972, which prohibit discrimination on the basis of sex in educational programs (20 U.S.C. § 1681), and the DOJ implementing regulations at 28 C.F.R. Part 42, Subpart I.

- The DOJ regulations on the Partnerships with Faith-Based and Other Neighborhood Organizations, which prohibit discrimination on the basis of religion in the delivery of services and prohibit organizations from using DOJ funding on explicitly religious activities (28 C.F.R. Part 38).
- Title VI of the Civil Rights Act (Title VI) of 1964, as amended, 42 U.S.C. § 2000d, and the DOJ implementing regulation, 28 C.F.R. pt. 42, subpts. C & D (prohibiting discrimination in federally assisted programs based on race, color, and national origin in the delivery of services or benefits);
- Juvenile Justice and Delinquency Prevention Act (JJDP) of 1974, as amended, 34 U.S.C. § 11182(b), and the DOJ implementing regulations, 28 C.F.R. §§ 31.202, .403 & pt.42, subpt. D (prohibiting discrimination in programs funded under the statute, both in employment and in the delivery of services or benefits, based on race, color, national origin, sex, and religion);
- Victims of Crime Act (VOCA) of 1984, as amended, 34 U.S.C. § 20110(e) and the regulation implementing the Victim of Crime Act Victim Assistance Program, 28 C.F.R. § 94.114 (prohibiting discrimination in programs funded under the statute, both in employment and in the delivery of services or benefits, based on race, color, national origin, sex, religion, and disability); and
- Violence Against Women Act (VAWA) of 1994, as amended, 34 U.S.C. § 12291(b)(13) (prohibiting discrimination in programs either funded under the statute or administered by the Office on Violence Against Women, both in employment and in the delivery of services or benefits, based on actual or perceived race, color, national origin, sex, religion, disability, sexual orientation, and gender identity) (referring to the Safe Streets Act for enforcement).
- The grant sub-recipient agrees and warrants that in the performance of the grant such grant sub-recipient will not discriminate or permit discrimination against any person or group of persons on the grounds of race, color, religious creed, age, marital status, national origin, ancestry, sex, gender identity or expression, mental retardation, mental disability or physical disability, including, but not limited to, blindness, unless it is shown by such grant sub recipient that such disability prevents performance of the work involved, in any manner prohibited by the laws of the United States or of the State of Connecticut. Connecticut General Statutes §§ 46a-51, 46a-58, 46a- 60, 46a-81a, 46a-81b, and 46a-81c, and with each regulation or relevant order issued by CHRO pursuant to Connecticut General Statutes.

These laws prohibit grantees from retaliating against an individual for taking action or participating in action to secure rights protected by these laws.

### **III. Complaint Procedures**

If OPM/CJPPD employees should become aware of any employment complaints of discrimination against a DOJ-funded sub-recipient (through phone inquiry, email, or site visit) from an employee of a sub-recipient, the OPM staff should refer the complainant to the Civil Rights Coordinator, Eleanor Michael. The Civil Rights Coordinator will then refer the complaint to the Connecticut Commission on Human Rights and Opportunities (CHRO) or the Department of Justice (DOJ), Office for Civil Rights (OCR). Additionally, the CHRO website has a tab entitled "How to File a Discrimination Complaint", which concerns the procedure for filing a discrimination complaint. You may access the tab by going to the CHRO website. Complaints should be filed within either 180 days or one year of the alleged acts of discrimination, depending on the relevant statute.

#### **Connecticut Commission on Human Rights and Opportunities**

25 Sigourney Street

Hartford, Connecticut 06106

**Phone:** 860-541-3400

**Website:** <http://www.ct.gov/chro/site/default.asp>

#### **Office for Civil Rights, Office of Justice Programs, Department of Justice**

810 7<sup>th</sup> Street, N.W. Washington,

D.C. 20531

**Website:** <http://ojp.gov/about/offices/ocr.htm>

### **IV. Notice**

A general condition requires that all grant sub-recipients must have procedures in place for responding to discrimination complaints that employees or applicants file directly with the sub-recipient also stating that the sub-recipients are required to forward the complaint to the Department of Justice Office for Civil Rights (OCR) or the or the Connecticut Commission on Human Rights and Opportunities. OPM/CJPPD must also be notified of the referral. Program monitors will include addressing this in their compliance checklist for site visits.

Notice of prohibited employee discrimination will be achieved through posting policies and complaint procedures on the OPM/CJPPD website, referencing prohibited discrimination in program materials, and distributing copies of complaint procedures in training sessions and other public events that may occur.

### **V. Training**

OPM/CJPPD staff will be trained to assist sub-recipient employees in contacting CHRO officials or DOJ OCR officials, including their responsibility to advise sub-recipients of the foregoing procedures.

Policy and procedures will be posted on the OPM/CJPPD website and other OPM/CJPPD

grants management line portals currently servicing OPM/CJPPD sub- recipients. In addition, copies will be distributed to all relevant OPM employees.

Grantees must have a representative complete all online Civil Rights training programs provided by the OCR. A link to the training programs can be found below. Such training is a mandatory condition as specified on the Special Grant Conditions form received by all grantee's at the start of the grant.

**Website:** <http://ojp.gov/about/ocr/ocr-training-videos/video-ocr-training.htm>