



# INTERNAL DISCRIMINATION COMPLAINT PROCEDURE

For Current/Prospective CHRO Employees and Persons Doing Business with the CHRO

## **Purpose:**

Pursuant to Connecticut Agency Regulations Section 46a-68-89, the Commission on Human Rights and Opportunities (CHRO) has established an internal discrimination complaint procedure whereby current CHRO employees and prospective CHRO employees alleging discrimination or illegal harassment on the basis of race, color, sex, national origin, age, ancestry, religious creed, marital status, sex (including sexual harassment, and pregnancy), sexual orientation, genetic information, mental disability (past or present), physical disability including but not limited to blindness, intellectual impairment, learning disability, gender identity and expression, workplace hazards to reproductive systems, criminal record (in state employment and licensing and consideration of any criminal record in violation of the state's Clean Slate Act), veteran status, and victim of domestic violence may seek redress through this internal discrimination complaint procedure. To ensure that each employee is informed of their right to utilize this internal discrimination complaint procedure, copies are posted and available via the CHRO's internet site. This internal discrimination complaint procedure is also posted at all agency locations, is part of Human Resource's new employee orientation packet, and is referenced in the CHRO employee handbook. To ensure that each applicant for employment (i.e., prospective CHRO employees) is informed of their right to utilize this internal discrimination complaint procedure, copies are posted and available via the CHRO's internet site. The information that is provided to current CHRO employees and prospective CHRO employees includes notification of the confidentiality of this procedure.

## **Procedure:**

1. All complaints alleging discrimination, illegal harassment (including sexual harassment), hostile work environment, harassment, or retaliation shall be filed within thirty (30) days of the alleged incident or knowledge of the alleged incident. The filing, investigation, and resolution of a complaint shall not exceed ninety (90) days.
2. All complaints must be in writing on the CHRO IDC-1 form. The filing date of the complaint is the date a completed and signed IDC-1 is received by the ODEP (Office of Diversity and Equity Programs). All complaints, informal, and formal are confidential to the extent of the law.
3. Each complaint shall contain:
  - a. The full name, job title, protected class status relevant to the complaint (if known), work address, and contact information of the complainant(s).
  - b. The full name, job title, protected class status relevant to the complaint (if known), work address, and contact information of the respondent(s).
  - c. A concise description of the alleged incident.
  - d. The date(s) the alleged incident occurred.
  - e. The full name, job title, work address, and contact information of witness(es).
4. The ODEP will issue each complainant correspondence acknowledging the receipt of the complaint and shall include:
  - a. A list of enforcement agencies outside of the CHRO.
  - b. An advisement the complainant may exercise any contractual rights pursuant to any applicable collective bargaining agreement.



# INTERNAL DISCRIMINATION COMPLAINT PROCEDURE

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5. Each complaint received will be evaluated by the ODEP. The ODEP will make a determination as to whether:
  - a. the matter complained of is plausibly related to an individual's protected class status;
  - b. the subject of the complaint is confined to the CHRO's policies and/or personnel;
  - c. the allegations of discrimination are subject to verification by investigation confined to the CHRO's policies and personnel; and
  - d. the complaint would be more appropriately investigated and/or resolved in some manner other than the CHRO's internal discrimination complaint procedure. If the IDC-1 filed does not contain allegations that are within the ODEP's purview, the ODEP will not retain the complaint for investigation and may refer the complaint to the proper department to address.
6. Any complainant whose complaint is dismissed, retains the right to file their complaint with federal, state, or local enforcement agencies, as well as to pursue any contractual remedies.
7. After a completed and signed IDC-1 is received and the complaint therein is deemed to be within the ODEP's purview, the ODEP will meet with the complainant(s) to perform an intake of the complaint.
8. The ODEP shall, as a matter of regular practice, may attempt to mediate an informal resolution to any complaint, within its jurisdiction, raised by a current CHRO employee or a prospective CHRO employee at the lowest level possible prior to initiating an investigation.
9. If the ODEP determines the IDC-1 contains allegations that are within the ODEP's jurisdiction and mediation is unsuccessful, an investigation will commence. The Executive Director and all parties to the complaint will be notified that the ODEP retained a complaint for investigation.
10. All CHRO employees must cooperate with the ODEP and are entitled to union representation (if applicable).
11. The ODEP shall have unrestricted access to any physical and electronic documents, files, records, and personnel within the CHRO's jurisdiction that the ODEP deems relevant to the investigation of an internal discrimination or illegal harassment (including sexual harassment) complaint.
12. Once the ODEP has concluded the investigation, an investigation report of the finding(s) shall be submitted to the Executive Director with recommendation(s) for resolution. Upon completion of the Executive Director's review, all parties to the complaint will be notified (in writing) of the finding.
13. Each complainant retains the right to pursue the complaint through federal, state, or local enforcement agencies, as well as through any contractual remedies. Each complainant and each respondent shall have ten (10) business days from the date on the notice of the ODEP's finding(s) to file a written appeal with the Executive Director.



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- 14. The Executive Director shall issue a written determination within sixty (60) business days of receiving a request for an appeal of the ODEP’s finding(s). The Executive Director’s determination shall be final under this internal discrimination complaint procedure. All parties to the complaint and the ODEP will receive written notification of the Executive Director’s determination.
- 15. The ODEP will also exercise every precaution to ensure any physical and electronic documents, files, and records accessed, and any individuals interviewed during an investigation are treated as confidential, and shall resist requests for disclosure, except where disclosure is required by law. Upon the conclusion of an investigation, all physical and electronic files and records of an investigation shall be confidentially maintained by the ODEP, except where disclosure is required by law.
- 16. If a complaint is against the Executive Director of CHRO or the ODEP, complainant(s) are advised to utilize the Connecticut Department of Administrative Services’ (DAS) complaint procedure pursuant to CONN. GEN. STAT. Sec. 46a-68(b)(4)(B). The complaint may also simultaneously file with the Connecticut Commission on Human Rights (CHRO) and/or the Federal Equal Employment Opportunity Commission (EEOC).
- 17. Any individual that exercises rights under this procedure, is alleged to have violated this policy, or is a witness shall not be subjected to retaliation by any employee of this agency. All allegations of retaliation will be handled as a separate complaint.
- 18. Allegations of retaliation that are substantiated may subject the perpetrator(s) to disciplinary action up to and including termination by the CHRO Human Resources Department in addition to any sanctions imposed by federal or state laws.

The ODEP participates in state and national trainings relative to counseling and grievance investigations and resolution.

### **External Enforcement Agencies:**

Every complainant shall be advised of their right to simultaneously file a discrimination complaint with the following enforcement agencies:

**CT Commission on Human Rights & Opportunities (CHRO)\***

450 Columbus Blvd., Suite 2, Hartford, CT 06103-1835

Tel. (860) 541-3400 ~ CT Toll Free: 1-800-477-5737 ~ TDD: (860) 541-3459

*\*Complaints must be filed within 300 days of the date of the discriminatory act(s).*

### **CHRO Regional Offices:**

Capitol Region Office 450 Columbus Blvd., Suite 2 Hartford, CT 06103-1835 Tel: (860) 566-7710 Fax: (860) 566-1997 TDD: (860) 566-7710	West Central Region Office Rowland State Government Center 55 West Main St., Suite 210 Waterbury, CT 06702-2004 Tel: (203) 805-6530
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# INTERNAL DISCRIMINATION COMPLAINT PROCEDURE

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	Fax: (203) 805-6559 TDD: (203) 805-6579
Eastern Region Office 100 Broadway Norwich, CT 06360 Tel: (860) 886-5703 Fax: (860) 886-2550 TDD: (860) 886-5707	Southwest Region Office 350 Fairfield Ave., 6th Floor Bridgeport, CT 06604 Tel: (203) 579-6246 Fax: (203) 579-6950 TDD: (203) 579-6246

## Equal Employment Opportunity Commission (EEOC)\*\*

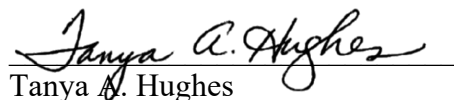
John F. Kennedy Federal Building  
475 Government Center  
Boston, MA 02203  
Tel: 800-669-4000  
Fax: 617-565-3196  
TTY: 800-669-6820  
ASL Video Phone: 844-234-5122

*\*\*Complaints must be filed within 300 days of the date of the discriminatory act(s).*

## CT CHRO Wage and Workplace Standards\*\*\*

CT Dept. of Labor  
200 Folly Brook Blvd.  
Wethersfield, CT 06109  
Tel: 860-263-6790

*\*\*\* Handles non-discriminatory workplace law violations.*



Tanya A. Hughes  
Executive Director

Connecticut Commission on Human Rights and Opportunities

12/21/2023

Date