

## GRIEVANCE PROCEDURE

The Department of Correction's Affirmative Action Program offers an internal grievance procedure to process and resolve allegations of unlawful discrimination. The procedure is implemented by the Affirmative Action Office and provides for the expeditious resolution of discrimination grievances, assuring that the legal options for filing complaints with enforcement agencies are not foreclosed.

### I. Informal Process

Any person applying for employment or currently employed by the Department of Correction who believes himself/herself to be subjected to employment discrimination, because of race, color, religious creed, sex/harassment, age, national origin, ancestry, physical disability, including but not limited to blindness, mental retardation, present or past history of mental disorder, learning disability, or marital status, has the right to file an *Affirmative Action Grievance* regardless of his/her status classification *within 60 days of the occurrence*.

The Affirmative Action Administrator shall first attempt to resolve grievances of alleged discrimination through *this* informal process. The informal process is an attempt to reconcile the matter at the lowest possible level. The Affirmative Action Administrator will act in an effort to mediate or conciliate grievances. The informal process must be completed *within 75 days of the filing date of the Affirmative Action Grievance in order to protect the rights of the grievant to exercise his/her rights in using the formal process*.

- A. If after the investigation of the grievance the Equal Employment Opportunity Director, or designee, concludes that the grievance is not valid or no discriminatory act has occurred, he/she may dismiss the grievance. Any complainant adversely affected by the dismissal of the grievance retains all other administrative and legal remedies provided by State Statutes, the Personnel Act and the Federal Fair Employment Practice laws and orders.
- B. If after investigation of the grievance, the Equal Employment Opportunity Director, or designee finds reason to believe that an employment discrimination violation may have occurred, the, Equal Employment Opportunity Director or designee, will then initiate attempts to cause reconciliation of the parties. If the parties to the grievance agree on a resolution by way of conciliation, the terms of such resolution will be set forth in a written consented agreement.
- C. If the Equal Employment Opportunity Director, or designee, concludes that the grievance is not valid or a discriminatory act has not occurred and dismisses the complaint, and the complainant is not satisfied with the findings, the complainant may appeal the decision, after the informal determination is made, to the Commissioner of the Department of Correction.

If either the Department of Correction or the employee fails to comply with any obligation or requirement which forms part of any resolution or conciliation agreement, said decision may be

enforced by a directive from the office of the Commissioner of the Department of Correction. The informal process in no way precludes the employee from exercising his/her rights in using the formal process provided by State Statutes and Federal law.

II. **Formal Process**

Any person subjected to employment discrimination can by himself/herself or by a representative, file a complaint with the Commission on Human Rights and Opportunities, or the Equal Employment Opportunities Commission, in the time period specified by law.

1. **The Connecticut Commission on Human Rights and Opportunities**

**Southwest Region**

350 Fairfield Avenue  
Bridgeport, CT 06604  
Tel: (203) 579-6246

**West Central Region**

Rowland State Government Center  
55 West Main Street, Suite 210  
Waterbury, CT 06702-2004  
Tel: (203) 805-6530

**Capitol Region**

999 Asylum Avenue, 2<sup>nd</sup> Floor  
Hartford, CT 06105  
Tel: (860) 566-7710

**Eastern Region**

100 Broadway, City Hall  
Norwich, CT 06360  
Tel: (860)886-5703

Complaints should be filed with the Commission on Human Rights and Opportunities ***no later than one hundred and eighty (180) days after the alleged act of employment discrimination occurred.*** When complaints are filed with the Commission on Human Rights and Opportunities regarding the Department of Correction, the Commission on Human Rights and Opportunities issues a written notice of the complaint to the Department of Correction.

2. **The Equal Employment Opportunities Commission**

**Regional Office**

Boston Regional Office  
John F. Kennedy  
Federal Building  
Boston, MA 02203  
Tel: (617) 565-3197

Complaints should be filed with the Equal Employment Opportunities Commission ***no later than three hundred (300) days after the alleged act of employment discrimination occurred.*** In most cases the Connecticut Commission on Human Rights and Opportunities will file dual complaints, i.e. not only with Connecticut but also with the Federal Equal Employment Opportunities Commission. The Connecticut Commission on Human Rights and Opportunities and the Equal Employment Opportunities Commission will then both give separate notice to the Commissioner of the Department of Correction that a formal discrimination complaint has been filed.

III. **Protection From Adverse Action**

No person employed by the Department of Correction will be restrained, intimidated, threatened, coerced or discriminated against by administrative staff, supervisory staff or associates because they have filed a complaint, testified, assisted or participated in any manner in an investigation, proceeding or hearing. Should these principles be violated, the fact will be brought to the attention of the Director of Equal Opportunity Assurance immediately by the aggrieved party, or their representative or any affected person, for investigation and appropriate action.

IV. **Distribution of Grievance Procedure**

In order to insure that employees are aware of their right to file an internal Affirmative Action Grievance or a formal employment discrimination complaint, copies of the grievance procedure will be placed on bulletin boards and other conspicuous places in all facilities of the Department of Correction.

A grievance form has been developed to insure certain information will be included in all grievances. Administrators, supervisors and line staff will be made aware of the Fair Employment Practices Statutes and the principles of Affirmative Action and its application. This information will be provided to staff with updates of changes as they occur.